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No. 2] NEW DELHI, SATURDAY, JANUARY 8, 1994/PAUSA 18, 1915

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-Section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government
of India (other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय
(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 21 दिसम्बर, 1993

का. आ. 62.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए गुजरात राज्य सरकार के गृह विभाग (विशेष) सचिवालय, गांधी नगर की अधिसूचना सं. जी.जी./93/153 एम.बी.—II यू. एन. ओ. 2993/7998 दिनांक 10 दिसम्बर, 1993 द्वारा दो गई गुजरात राज्य सरकार की सहमति से निम्नलिखित अपराधों के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तारण संपूर्ण गुजरात राज्य पर करती है:—

1. 6 दिसम्बर, 1993 को मृत मिश्रा के पास भेस्टन रेलवे स्टेशन पर "बलाइन रात्री एक्सप्रेस" में हुए

बम विस्फोट के संबंध में घाना बलसाड़ रेलवे पुलिस स्टेशन—I में भारतीय दंड संहिता, 1860 की धारा 307, 120—बी, विस्फोटक पदार्थ अधिनियम की धारा 3, 4 और 5 तथा लोक संपत्ति नुकसान निवारण अधिनियम की धारा 3(2) के अंतर्गत रजिस्टर्ड अपराध सं. 132/93, और

- ख. उक्त वर्णित अपराधों के संबंध में अथवा उनसे संभवतः प्रयत्न, धुंधलेपन और पट्टेपत्र तथा उन्ही तथ्यों से उत्पन्न होते वाले वैसे ही संव्यवहार के अनुक्रम में किए गए किसी अपराध अथवा अपराधों के लिए।

[नं. 223/33/93—ए. बी. डी.—II]

पो. प्रकाश, उप सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS

(Department of Personnel & Training)

New Delhi, the 21st December, 1993

S.O. 62.—In exercise of the powers conferred by sub-section (i) of Section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Govt with the consent of the State Govt of Gujarat vide Home Deptt. (Special) Sachivalaya, Gandhinagar Notification No. GG/93/153/SB III/UNO 2993/7998 dated 10th Dec. 1993 hereby extends the powers and jurisdiction of the members of Delhi Special Police Establishment to the whole of the State of Gujarat for further investigation of the following offences:—

1. Crime No. 132/93 U/s 307, 120-B of IPC, 1960 Sec. 3, 4 & 5 of the Explosive Substances Act & Sec. 3(2) of the Prevention of Damages to Public Property Act of PS Valsad Railway Police Station-I, registered in connection with the Bomb blast that occurred at Bhestan Rly. Station near Surat City in 'Flying Rani Express' on 6-12-93, and

(b) attempts, abetments and conspiracies in relation with the offences mentioned above and any other offence or offences committed in the course of the same transaction arising out of the same facts.

[No. 228/83/93-AVD.II]

P. PRAKASH, Dy. Secy.

नई दिल्ली, 21 दिसम्बर, 1993

का. आ. 63.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राजस्थान राज्य सरकार के गृह (गृ-5) विभाग के आदेश सं. एफ—41(47)गृह-5/92-पार्टे जयपुर दिनांक 13 दिसम्बर, 1993 द्वारा दी गई राजस्थान राज्य सरकार की सहमति से निम्नलिखित अपराधों के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तारण संपूर्ण राजस्थान राज्य पर करती है :—

1. विस्फोटक पदार्थ अधिनियम की धारा 3/5 के अंतर्गत थाना जी आर पी, कोटा में रजिस्टर्ड अपराध सं. 74/93 दिनांक 6-12-93 अथवा उन्हीं तथ्यों से उत्पन्न होने वाले वैसे ही संव्यवहार के अनुक्रम में किए गए किन्हीं अन्य अपराधों के सम्बन्ध में।

[सं. 228/83/93-ए. वो. डी.—II]

पी. प्रकाश, उप सचिव

New Delhi, the 21st December, 1993

S.O. 63.—In exercise of the powers conferred by sub-section (i) of Section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Govt. with the consent of the State Govt. of Rajasthan vide Home (Gr.-5) Department order No. F. 41(47) Home 5/92 Part Jaipur, dt. Dec. 13, 1993 herewith extends the powers and jurisdiction of the members of Delhi Special Police Establishment to the whole of the State of Rajasthan for investigation of the following offences.

1. Crime No. 74/93 dt. 6-12-93 registered at Police Station GRP, Kota U/s 3/5 of the Explosive Substances Act

or any other offences committed in the course of the same transaction arising out of the same facts.

[No. 228/83/93-AVD.II]

P. PRAKASH, Dy. Secy.

नई दिल्ली, 21 दिसम्बर, 1993

का. आ. 64.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 6 के साथ पठित 5 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए आन्ध्र प्रदेश राज्य सरकार के पत्र सं. होम (एस सी ए) डिपार्टमेंट जी ओ आर टी सं. 3239 दिनांक 18 दिसम्बर, 1993 द्वारा दी गई आन्ध्र प्रदेश राज्य सरकार की सहमति से निम्नलिखित अपराधों/मामलों के और आगे अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तारण संपूर्ण आन्ध्र प्रदेश राज्य पर करती है :—

- क. 6 दिसम्बर, 1993 को आन्ध्र प्रदेश एक्सप्रेस में हुए बम विस्फोट के संबंध में थाना माल्काजीगिरि, जिला रेंगारेड्डी (आ.प्र.) में भारतीय दंड संहिता की धारा 302, 307 आतंकवाद और विध्वंसकारी क्रियाकलाप अधिनियम की धारा 3, 4 एवं 5 विस्फोटक पदार्थ अधिनियम की धारा 5 तथा लोक संपत्ति नुकसान निवारण अधिनियम की धारा 3 और 4 के अंतर्गत रजिस्टर्ड अपराध सं. 251/93, और

ख. उक्त वर्णित अपराधों के संबंध में अथवा उनसे संसक्त प्रयत्न, दुष्प्रेरण और पड़ोस तथा उन्हीं तथ्यों से उत्पन्न होने वाले वैसे ही संव्यवहार के अनुक्रम में किए गए किसी अन्य अपराध अथवा अपराधों के संबंध में।

[सं. 228/83/93-ए. वो. डी. II]

पी. प्रकाश, उप सचिव

New Delhi, the 21st December, 1993

S.O. 64.—In exercise of the powers conferred by sub-section 5 read with Section 5 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Govt. with the consent of the State Govt. of Andhra Pradesh vide Home (SCA) Department GORTNG 3239 dated 18th December, 1993 hereby extends the powers and jurisdiction of the members of Delhi Special Police Establishment to the whole of the State of Andhra Pradesh for further investigation of the following offences/cases;

1. Crime No. 251/93 u/s 302, 307, IPC, sec. 3, 4 & 5 of TADA Act, sec. 5 of Explosives & Substances Act and 3 & 4 of Prevention of Damage to Public Property Act registered at PS Malkajigiri, District Regna Reddy (A.P.) in connection with the bomb blast that occurred in the Andhra Pradesh Express on 6th of December, 1993, and

(b) attempts, abetments and conspiracies in relation to or in connection with the offences mentioned above and any other offence or offences committed in the course of the same transaction arising out of the same facts

[No. 228/83/93-AVD.II]

P. PRAKASH, Dy. Secy.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 2 नवम्बर, 1993

(आयकर)

का. आ. 65.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (V) द्वारा प्रदत्त भवितव्यों का प्रयोग करने हुए, केन्द्रीय सरकार एतद्वारा “अरुलमिगु कण्डस्वामी तिरुकोइल, तिरुपूर, चेंगाई, एम. जी. आर. जिला, तमिलनाडु” को कर-निर्धारण वर्ष 1992-93 से 1994-95 तक के लिए, निम्नलिखित शर्तों के अधीन रहने हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिता इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिता ऊपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वेच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिता के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएँ नहीं रखी जाती हों।

[अधिसूचना सं. 9396/फा. सं. 197/90/93—आयकर (नि.-1)]

शरत चन्द्र, अवर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 2nd November, 1993

(INCOME-TAX)

S.O. 65.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “(Arulmigu Kandaswamy Thirukoil Thirupurapurur, Chengai, MGR Distt. Tamil Nadu)” for the purpose of the said sub-clause for the assessment years 1992-93 to 1994-95, subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;

(iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9396/F. No. 197/90/93-ITA-I]

नई दिल्ली, 4 नवम्बर, 1993

(आयकर)

का. आ. 66.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (5) द्वारा प्रदत्त भवितव्यों का प्रयोग करने हुए, केन्द्रीय सरकार एतद्वारा “विलियम कैरी अध्ययन एवं अनुसंधान केन्द्र, कलकत्ता” को कर-निर्धारण वर्ष 1993-94 से 1995-96 तक के लिए, निम्नलिखित शर्तों के अधीन रहने हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिता इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (2) कर-निर्धारिता ऊपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वेच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (3) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिता के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएँ नहीं रखी जाती हों।

[अधिसूचना सं. 9397/फा. सं. 197/101/93—आयकर (नि.-1)]

शरत चन्द्र, अवर सचिव

New Delhi, the 4th November, 1993

(INCOME-TAX)

S.O. 66.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “(William Carey Study and Research Centre, Calcutta)” for the purpose of the said sub-clause for the assessment years 1993-94 to 1995-96, subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9397/F. No. 197/101/93-ITA-I]

SHARAT CHANDRA, Under Secy.

नई दिल्ली, 9 नवम्बर, 1993

(भायकर)

का.आ. 67:—भायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "श्री गुरुवायूरप्पन अस्थिका समाजम, मद्रास" को कर-निर्धारण वर्ष 1989-90 से 1991-92 तक के लिए निम्नलिखित शर्तों के अध्वीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- (1) कर-निर्धारिता इसकी आय का हस्तेमाल अथवा इसकी आय का हस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (2) कर-निर्धारिता ऊपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जबर-जवाहिरान, फनीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वेच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (3) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिता के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9404/फा. सं. 197/147/93-भा.कर. नि.-1]

शरत चन्द्र, प्रवर सचिव

New Delhi, the 9th November, 1993

(INCOME-TAX)

S.O. 67.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sri Guruvayoorappan Asthika Samajam, Madras" for the purpose of the said sub-clause for the assessment years 1989-90 to 1991-92, subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9404/F. No. 197/147/93-ITA-I]

SHARAT CHANDRA, Under Secy.

नई दिल्ली, 11 नवम्बर, 1993

(भायकर)

का.आ. 68:—भायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "1) श्री द्वारकाश्रीमजी मंदिर न्यास, बेत, 2) श्री लक्ष्मी जी मंदिर न्यास, बेत 3) श्री राविका जी मंदिर न्यास, बेत 4) श्री सत्यभामाजी न्यास, बेत 5) श्री जाम्बवन्ती जी मंदिर न्यास, बेत 6) श्री शंखनारायणजी मंदिर न्यास, बेत" को कर-निर्धारण वर्ष 1990-91 से 1992-93 तक के लिए निम्नलिखित शर्तों के अध्वीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- (1) कर-निर्धारिता इसकी आय का हस्तेमाल अथवा इसकी आय का हस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (2) कर-निर्धारिता ऊपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जबर-जवाहिरान, फनीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वेच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (3) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिता के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9406/फा. सं. 197/153/93-भायकर-नि.-1]

शरत चन्द्र, प्रवर सचिव,

New Delhi, the 11th November, 1993

(INCOME-TAX)

S.O. 68.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "(1) Shri Dwarkadishiji Mandir Trust, Bet (2) Shri Laxmiji Mandir Trust, Bet (3) Shri Radhikaji Mandir Trust, Bet (4) Shri Satyabhamaji Mandir Trust Bet (5) Shri Jambuvantiji Mandir Trust, Bet (6) Shri Shankharnayanji Mandir Trust, Bet" for the purpose of the said sub-clause for the assessment years 1990-91 to 1992-93, subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9406/F. No. 197/153/93-ITA-II]

SHARAT CHANDRA, Under Secy.

नई दिल्ली, 16 नवम्बर, 1993

नई दिल्ली, 18 नवम्बर, 1993

आयकर

(आयकर)

का. आ. 69:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "तिरुमला तिरुपति देवस्थानम्, तिरुपति, आन्ध्रा प्रदेश" को कर-निर्धारण वर्ष 1993-94 से 1995-96 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- (1) कर-निर्धारित इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संवयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (2) कर-निर्धारित ऊपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा II की उप-धारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जवर-जवाहिरान, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वेच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (3) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हों, जब तक कि ऐसा कारोबार उक्त कर-निर्धारित के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9408 / फा. सं. 197/7/92-आयकर-नि.-1]

शरत चन्द्र, अधर सचिव

New Delhi, the 16th November, 1993

(INCOME-TAX)

S.O. 69.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "Tirumala Tirupati Devasthanam, Tirupati, A.P." for the purpose of the said sub-clause for the assessment years 1993-94 to 1995-96 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9408/F. No. 197/7/92-ITA-I]

SHARAT CHANDRA, Under Secy.

का. आ. 70:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "श्री जानन महाराज संस्थान, शास्त्रुहा शेगांव, जिला बुलदाना, महाराष्ट्र" को कर-निर्धारण वर्ष 1988-89 से 1990-91 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- (1) कर-निर्धारित इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संवयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (2) कर-निर्धारित ऊपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा II की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जवर-जवाहिरान, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वेच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (2) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हों जब तक कि ऐसा कारोबार उक्त कर-निर्धारित के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9410 / फा. सं. 197/94/93-आयकर-नि.-1]

शरत चन्द्र, अधर सचिव

New Delhi, the 18th November, 1993

(INCOME-TAX)

S.O. 70.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Shree Gajanan Maharaj Sansthan, Tq. Shegaon, Distt. Buldana, Maharashtra" for the purpose of the said sub-clause for the assessment years 1988-89 to 1990-91 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9410/F. No. 197/94/93-ITA-I]

SHARAT CHANDRA, Under Secy.

वित्त मंत्रालय
(आर्थिक कार्य विभाग)
(बैंकिंग प्रभाग)

नई दिल्ली, 17 दिसम्बर, 1993

का. आ. 71:—भारतीय औद्योगिक पुनर्निर्माण बैंक अधिनियम, 1984 (1984 का 62) की धारा 12 की उपधारा (1) के साथ पठित धारा 10 की उपधारा (1) के खंड (क) के अनुसरा में केन्द्र सरकार एतद्वारा श्री बी. के. तारिया, भारतीय औद्योगिक विकास बैंक के वर्तमान महाप्रबंधक को प्रतिनियुक्ति के आधार पर कार्यभार ग्रहण करने की तारीख से दो वर्षों की अवधि के लिए भारतीय औद्योगिक पुनर्निर्माण बैंक के अध्यक्ष के रूप में नियुक्त करती है। वह भारतीय औद्योगिक पुनर्निर्माण बैंक के प्रबंध निदेशक के रूप में भी कार्य करेंगे।

[सं. एफ. 7/11/93-बी. ओ. I]

एम. एस. सीतारामन, धवर सचिव

MINISTRY OF FINANCE

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 17th December, 1993

S.O. 71.—In pursuance of clause (a) of sub-section (1) of section 10 read with sub-section (1) of section 12 of the Industrial Reconstruction Bank of India Act, 1984 (62 of 1984), the Central Government hereby appoints Shri B. K. Taparia, Presently General Manager, Industrial Development Bank of India as Chairman, Industrial Reconstruction Bank of India who shall also function as the Managing Director of the Industrial Reconstruction Bank of India for a period of two years with effect from the date of his taking charge on deputation basis.

[No. F. 7/11/93-BO.I]

M. S. SEETHARAMAN, Under Secy.

वित्त मंत्रालय

नई दिल्ली, 23 दिसम्बर, 1993

का. आ. 72:—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार मैगनीज डायक्साइड रहित खनिज तथा ग्रयस्क (ग्रुप-I तथा II) अर्थात् कच्चे लोहे, कच्चे मैगनीज का गोघ्रा में निर्यात से पूर्व निरीक्षण करने के लिए गोमालिन्हा ब्रिडज, पट्टनी मजिस्ट, वास्कोडीगामा, गोघ्रा में स्थित मैगस मित्रा एस. के. प्राइवेट लिमिटेड को जिनका रजिस्ट्रीकृत कार्यालय, पी-11, सी. आई. टी. रोड, कलकत्ता-700014 में है इस अधिसूचना के प्रकाशन की तारीख से तीन वर्षों की अवधि के लिए निम्न शर्तों के अधीन एतद्वारा अभिकरण के रूप में मान्यता देती है, अर्थात्:—

- (i) मैगस मित्रा एस. के. प्राइवेट लिमिटेड निर्यात निरीक्षण परिषद द्वारा इस संबंध में नामित अधिकारी को अपने द्वारा अपनाई गई निरीक्षण पद्धति की जांच करने के लिए पर्याप्त सुविधाएं देगा ताकि खनिज तथा ग्रयस्क ग्रुप-I के निर्यात (निरीक्षण) नियम, 1965 के नियम 4 तथा खनिज तथा ग्रयस्क ग्रुप-II के निर्यात (निरीक्षण) नियम 1965 के अन्तर्गत निरीक्षण का प्रमाण पत्र दिया जा सके;
- (ii) मैगस मित्रा एस. के. प्राइवेट लिमिटेड इस अधिसूचना के अधीन अपने कृत्यों के पालन में ऐसे निर्देशों द्वारा सहाय होगा जो निदेशक (निरीक्षण एवं क्वालिटी नियंत्रण) समय-समय पर लिखित रूप में दें।

[फाइल सं. 5/7/93-ईआई एण्ड ईपी]

कुमारी सुमा सुब्बन्ना, निदेशक

MINISTRY OF COMMERCE

New Delhi, the 23rd December, 1993

S.O. 72.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises, for a period of three years from the date of publication of this notification, M/s. Mitra S. K. Private Ltd., located at Gosalia Building, 1st Floor, Vasco-Da-Gama, Goa and having their registered office at P-11, C.I.T. Road, Calcutta-700014 as an agency for the inspection of Minerals and Ores (Group I and II) namely Iron Ore, Manganese ore excluding Manganese Dioxide and Chrome Ore, prior to export at Goa, subject to the following conditions, namely:—

- (i) that M/s. Mitra S. K. Private Ltd. shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in granting the certificate of inspection under rule 4 of the Export of Minerals and Ores Group I (Inspection) Rules, 1965 and Export of Minerals and Ores Group II (Inspection) Rules, 1965;
- (ii) that M/s. Mitra S. K. Private Ltd. in the performance of their function under this notification shall be bound by such directives as the Director (Inspection & Quality Control) may give in writing from time to time.

[File No. 5/7/93-EI&EP]

KUM. SUMA SUBBANNA, Director

नई दिल्ली, 23 दिसम्बर, 1993

का. आ. 73:—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार मैगनीज डायक्साइड रहित खनिज तथा ग्रयस्क (ग्रुप-I) अर्थात् कच्चे लोहे तथा कच्चे मैगनीज का विशाखापत्तनम में निर्यात से पूर्व निरीक्षण करने के लिए 25-8-152, मेन रोड (पट्टनी मजिस्ट) टाऊन पुलिस स्टेशन के पास, विशाखापत्तनम-530001 में स्थित मैसर्स एमएस एण्ड कम्पनी को जिनका रजिस्ट्रीकृत कार्यालय 106 (पुराना नं. 550), 8वीं मेन रोड, मालेश्वरम वेस्ट, बेंगलूर-560055 में है, इस अधिसूचना के प्रकाशन की तारीख से तीन वर्षों की अवधि के लिए निम्न शर्तों के अधीन एतद्वारा अभिकरण के रूप में मान्यता देती है, अर्थात्:—

- (i) मैसर्स एमएस एण्ड कम्पनी निर्यात निरीक्षण परिषद द्वारा इस संबंध में नामित अधिकारी को अपने द्वारा अपनाई गई निरीक्षण पद्धति की जांच करने के लिए पर्याप्त सुविधाएं देगा ताकि खनिज तथा ग्रयस्क (ग्रुप-I) के निर्यात (निरीक्षण) नियम, 1965 के नियम 4 के अन्तर्गत निरीक्षण का प्रमाण पत्र दिया जा सके,
- (ii) मैसर्स एमएस एण्ड कम्पनी इस अधिसूचना के अधीन अपने कृत्यों के पालन में ऐसे निर्देशों द्वारा सहाय होगा जो निदेशक (निरीक्षण एवं क्वालिटी नियंत्रण) समय-समय पर लिखित रूप में दें।

[फाइल सं. 5/5/93-ईआई एण्ड ईपी]

कुमारी सुमा सुब्बन्ना, निदेशक

New Delhi, the 23rd December, 1993

S.O. 73.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises, for a period of three years from the date of publication of this notification, M/s. Essen & Co., located at 25-8-152, Main Road (1st Floor), Near 1 Town Police Station, Visakhapatnam-530001 and having their registered

office at 105 (Old No. 550), 8th Main Road, Malleswaram West, Bangalore-560055, as an agency for the inspection of Minerals and Ores (Group-I) namely Iron Ore and Manganese Ore, excluding Manganese Dioxide, prior to export at Visakhapatnam subject to the following conditions, namely:—

(i) that M/s. Essen & Co. shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in granting the certificate of inspection under rule 4 of the Export of Minerals and Ores Group I (Inspection) Rules, 1965;

(ii) that M/s. Essen & Co. in the performance of their function under this notification shall be bound by such directives as the Director (Inspection and Quality Control) may give in writing from time to time.

[File No. 5/5/93-EI&EP]

KUM. SUMA SUBBANNA, Director

नई दिल्ली, 23 दिसम्बर, 1993

का. आ. 74:—नियंत्रित (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना सं. का. आ. 3975 तारीख 20 दिसम्बर, 1965 से उपाखण्ड अनुसूची में विनिर्दिष्ट खनिज तथा अयस्क (ग्रुप-1) का निर्यातपत्रपत्र में निर्यात से पूर्व निरीक्षण करने के लिए 26-26-42, हार्बोर अप्रोच रोड, विशाखापत्तनम-530001 पर स्थित मैसर्स सी स्केन सर्विसेज प्रा. लि. को जिनका रजिस्ट्रिकृत कार्यालय होमबर्डी बिल्डिंग 174, डा. डी. एन. रोड, फोर्ट बम्बई-400004 पर है, इस अधिसूचना के प्रकाशन की तारीख से तीन वर्षों की अवधि के लिए निम्न शर्तों के अधीन अभिकरण के रूप में मान्यता देती है, अर्थात्:—

(i) मैसर्स सी स्केन सर्विसेज प्रा. लि. निर्यात निरीक्षण परिपत्र द्वारा इस संबंध में नामित अधिकारी को अपने द्वारा अपनाई गयी निरीक्षण पद्धति की जांच करने के लिए पर्याप्त सुविधाएं देना ताकि खनिज तथा अयस्क (ग्रुप-1) के निर्यात (निरीक्षण) नियम, 1965 के नियम 4 के अंतर्गत प्रमाण पत्र दिया जा सके,

(ii) मैसर्स सी स्केन सर्विसेज प्रा. लि. इस अधिसूचना के अंतर्गत अपने कर्तव्यों के पालन में ऐसे निर्देशों द्वारा आशङ्क होना जो समय-समय पर निदेशक (निरीक्षण एवं क्वालिटी नियंत्रण) विहित में हैं।

[फाईल सं. 5/3/93-ईआई एंड ईपी]

कुमारो सुमा मुन्नाप्पा, निदेशक

New Delhi, the 23rd December, 1993

S.O. 74.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises, for a period of three years from the date of publication of this notification, M/s. Sea Scan Services Pvt. Ltd., located at 26-26-42, Harbour Approach Road, Visakhapatnam-530001 and having their registered office at Hornby Building 174, Dr. D. N. Road, Fort, Bombay-400004, as an agency for the inspection of Minerals and Ores (Group-I) specified in schedule annexed to Ministry of Commerce Notification No. S.O. 3975 dated the 20th December, 1965, prior to export at Visakhapatnam subject to the following conditions, namely:—

(i) that M/s. Sea Scan Services Pvt. Ltd., shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in granting the certificate of inspection under rule 4 of the Export of Minerals and Ores Group I (Inspection) Rules, 1965;

(ii) that M/s. Sea Scan Services Pvt. Ltd. in the performance of their function under this notification shall be bound by such directives as the Director (Inspection and Quality Control) may give in writing from time to time.

[File No. 5/3/93-EI&EP]

KUM. SUMA SUBBANNA, Director

नई दिल्ली, 23 दिसम्बर, 1993

का. आ. 75:—नियंत्रित (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना सं. का. आ. 3978 तारीख 20 दिसम्बर, 1965 से उपाखण्ड अनुसूची में विनिर्दिष्ट खनिज तथा अयस्क (ग्रुप-II) का निर्यातपत्रपत्र में निर्यात से पूर्व निरीक्षण करने के लिए 26-26-42, हार्बोर अप्रोच रोड, विशाखापत्तनम-530001 पर स्थित मैसर्स सी स्केन सर्विसेज प्रा. लि. को जिनका रजिस्ट्रिकृत कार्यालय होमबर्डी बिल्डिंग, 174, डा. डी. एन. रोड, फोर्ट बम्बई-400004 पर है, इस अधिसूचना के प्रकाशन की तारीख से तीन वर्षों की अवधि के लिए निम्न शर्तों के अधीन अभिकरण के रूप में मान्यता देती है, अर्थात्:—

(i) मैसर्स सी स्केन सर्विसेज प्रा. लि. निर्यात निरीक्षण परिपत्र द्वारा इस संबंध में नामित अधिकारी को अपने द्वारा अपनाई गयी निरीक्षण पद्धति की जांच करने के लिए पर्याप्त सुविधाएं देना ताकि खनिज तथा अयस्क (ग्रुप-II) के निर्यात (निरीक्षण) नियम, 1965 के नियम 4 के अंतर्गत प्रमाण पत्र दिया जा सके।

(ii) मैसर्स सी स्केन सर्विसेज प्रा. लि. इस अधिसूचना के अंतर्गत अपने कर्तव्यों के पालन में ऐसे निर्देशों द्वारा आशङ्क होना जो समय-समय पर निदेशक (निरीक्षण एवं क्वालिटी नियंत्रण) विहित में हैं।

[फाईल सं. 5/3/93-ईआई एंड ईपी]

कुमारो सुमा मुन्नाप्पा, निदेशक

New Delhi, the 23rd December, 1993

S.O. 75.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises, for a period of three years from the date of publication of this notification, M/s. Sea Scan Services Pvt. Ltd., located at 26-26-42, Harbour Approach Road, Visakhapatnam-530001 and having their registered office at Hornby Building, 174, Dr. D. N. Road, Fort, Bombay-400004, as an agency for the inspection of Minerals and Ores (Group-II) specified in schedule annexed to Ministry of Commerce Notification No. S.O. 3978 dated the 20th December, 1965, prior to export at Visakhapatnam subject to the following conditions, namely:—

(i) that M/s. Sea Scan Services Pvt. Ltd. shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in granting the certificate of inspection under rule 4 of the Export of Minerals and Ores Group II (Inspection) Rules, 1965;

(ii) that M/s. Sea Scan Services Pvt. Ltd. in the performance of their function under this notification shall be bound by such directives as the Director (Inspection and Quality Control) may give in writing from time to time.

[File No. 5/3/93-EI&EP]

KUM. SUMA SUBBANNA, Director

नई दिल्ली, 23 दिसम्बर, 1993

का. प्रा. 76—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार खनिज तथा अयस्क (ग्रुप I) अर्थात् कच्चे अयस्क का निर्यात से पूर्व निरीक्षण करने के लिए मैसर्स इन्स्पेक्शन एण्ड टेस्टिंग कं. (इंडिया) प्रा. लिमिटेड 24-1-25, थोम्पसन स्ट्रीट, विशाखापत्तनम-530001 को इस अधिसूचना के प्रकाशन की तारीख से तीन वर्षों के लिए निम्न शर्तों के अधीन एतद्वारा मान्यता देती है ;

- (i) मैसर्स इन्स्पेक्शन एण्ड टेस्टिंग कं. (इंडिया) प्रा. लिमिटेड निर्यात निरीक्षण परिपक्व द्वारा इस संबंध में नामित अधिकारी को अपनाई गई निरीक्षण पद्धति की जांच करने के लिए पर्याप्त सुविधाएं देगा ताकि खनिज तथा अयस्क (ग्रुप I) के निर्यात (निरीक्षण) नियम, 1965 के नियम 4 के अन्तर्गत निरीक्षण का प्रमाण-पत्र दिया जा सके ;
- (ii) मैसर्स इन्स्पेक्शन एण्ड टेस्टिंग कं. (इंडिया) प्रा. लिमिटेड अपने कर्मियों के पालन में ऐसे निर्देशों द्वारा आवश्यक होगा जो निदेशक निरीक्षण एवं क्वालिटी नियंत्रण समय-समय पर लिखित रूप में देगे।

[फाइल सं. 5/4/93-ई-आई एंड ई पी]

कुमारी सुमा सुब्बान्ना, निदेशक

New Delhi, the 23rd December, 1993

S.O. 76.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises, for a period of three years from the date of publication of this notification, M/s. Inspection & Testing Co. (India) Pvt. Ltd., 24-1-25, Thompson Street, Visakhapatnam-530001 as an agency for the inspection of Minerals and Ores (Group I) namely Iron Ore, prior to export, subject to the following conditions, namely:—

- (i) that M/s. Inspection & Testing Co. (India) Pvt. Ltd., shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in granting the certificate of inspection under rule 4 of the Export of Minerals and Ores Group I (Inspection) Rules, 1965;
- (ii) that M/s. Inspection & Testing Co. (India) Pvt. Ltd., in the performance of their function under this notification shall be bound by such directives as the Director (Inspection and Quality Control) may give in writing from time to time.

[File. No. 5/4/93-EI&EP]

KUM. SUMA SUBBANNA, Director

नई दिल्ली, 23 दिसम्बर, 1993

का. प्रा. 77—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, खनिज तथा अयस्क (ग्रुप I) अर्थात् कच्चे अयस्क का निर्यात से पूर्व निरीक्षण करने के लिए मैसर्स आर. वी. ब्रिग्स एण्ड कम्पनी प्रा. लिमिटेड 24-1-30, थोम्पसन स्ट्रीट हरून मंजिल विशाखापत्तनम-530001 को इस अधिसूचना के प्रकाशन की तारीख से तीन वर्षों के लिए निम्न शर्तों के अधीन एतद्वारा मान्यता देती है ;

- (i) मैसर्स आर. वी. ब्रिग्स एण्ड कम्पनी प्रा. लिमिटेड निर्यात निरीक्षण परिपक्व द्वारा इस संबंध में नामित अधिकारी को अपनाई गई निरीक्षण पद्धति की जांच करने के लिए पर्याप्त

सुविधाएं देगा ताकि खनिज तथा अयस्क ग्रुप-I के निर्यात (निरीक्षण) नियम, 1965 के नियम 4 के अन्तर्गत निरीक्षण का प्रमाण पत्र दिया जा सके ;

- (ii) मैसर्स आर. वी. ब्रिग्स एण्ड कम्पनी प्रा. लिमिटेड अपने कर्मियों के पालन में ऐसे निर्देशों द्वारा आवश्यक होगा जो निदेशक (निरीक्षण एवं क्वालिटी नियंत्रण) समय-समय पर लिखित रूप में देगे।

[फाइल सं. 5/6/93-ई आई एंड ई पी]

कुमारी सुमा सुब्बान्ना, निदेशक

New Delhi, the 23rd December, 1993

S.O. 77.—In exercise of the powers conferred by sub-section (1) of section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises, for a period of three years from the date of publication of this notification, M/s. R. V. Briggs & Co. Pvt. Ltd., 24-1-30, Thompson Street, Haroon Manzil, Visakhapatnam-530001 as an agency for the inspection of Minerals and Ores (Group I) namely Iron Ore, prior to export, subject to the following conditions, namely:—

- (i) that M/s. R. V. Briggs & Co. Pvt. Ltd., shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in granting the certificate of inspection under rule 4 of the Export of Minerals and Ores Group I (Inspection) Rules, 1965;
- (ii) that M/s. R. V. Briggs & Co. Pvt. Ltd., in the performance of their function under this notification shall be bound by such directives as the Director (Inspection and Quality Control) may give in writing from time to time.

[File No. 5/6/93-EI&EP]

KUM. SUMA SUBBANNA, Director

कोयला मंत्रालय

नई दिल्ली, 16 दिसम्बर, 1993

का.प्रा. 78—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाय अन्तुची में उल्लिखित भूमि में कोयला अभिज्ञान किये जाने की संभावना है।

अतः, अब, केन्द्रीय सरकार कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (निम्न हमने इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उप क्षेत्र में कोयले का प्रेषण करने के अपने प्राण्य की गृहता देती है।

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक सं. एस. ई. सी. एन./बी. एस. पी./जी. एस. (पी.एल. जी.)/भूमि/107, तारीख 28 मई, 1992 का निरीक्षण साउथ ईस्टर्न कोलकोडम लिमिटेड (राज्य अन्तुभाग), सीवन रोड, बिनामपुर-495001 के कार्यालय में या कलक्टर, गृहकोल (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कनकला के कार्यालय में किया जा सकता है।

इस अधिसूचना के अधीन आने वाली भूमि में जितना, सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शे, चाट और अन्य दस्तावेज इस अधिसूचना के राखने में प्रकाशन की तारीख से नब्बे दिन के भीतर, भार साक्ष्य अधिकारी/विभागाध्यक्ष (राजस्व), साउथ ईस्टर्न कोलकोडम लिमिटेड, सीवन रोड, बिनामपुर को भेजेंगे।

अनुसूची

अनुसूची स्थान

मोहागपुर क्षेत्र

(बिला-शहडोल (मध्य प्रदेश))

[विशेष नं. ए. डी. एन. सी. एन. / खो. एम. पी. / आ. एम. (पी. एन. पी.) / भूमि/ 107, भा. 26 मई, 1992]

पूर्वोक्त के निम्न अधिव्यक्ति भूमि शामिल हैं।

क्रम संख्यांक	ग्राम का भाग	पटवारी हल्का सं.	तहसील	बिला हैक्टर में	क्षेत्र	टिप्पणियाँ
1.	भगपुरी	98	मोहागपुर	शहडोल	151.655	भाग
2.	मरायकपा	98	मोहागपुर	शहडोल	288.778	भाग
3.	गोपाथपुर	100	मोहागपुर	शहडोल	995.421	भाग
4.	अहिरगवा	100	मोहागपुर	शहडोल	013.184	भाग
5.	करकटी	99	मोहागपुर	शहडोल	018.187	भाग

कुल—567.225 हैक्टर (लगभग)

या 1401.61 एकड़ (लगभग)

सीमा वर्णन

क-क1-क रेखा अहिरगवा ग्राम से बिन्दु "क" से प्रारंभ होती और अहिरगवा, धनपुरी, मरायकपा, धनपुरी, ग्रामों से होकर जाती है और बिन्दु "ख" पर मिलती है।

ख-ग रेखा धनपुरी ग्राम से होकर जाती है और बिन्दु "ग" पर मिलती है।

ग-घ रेखा, धनपुरी, मरायकपा, करकटी ग्रामों से होकर जाती है और बिन्दु "घ" पर मिलती है।

घ-क रेखा, करकटी, गोपाथपुर अहिरगवा ग्रामों से होकर जाती है और प्रारंभिक बिन्दु "क" पर मिलती है।

[सं. 43015/8/92-एन.एन. डब्ल्यू.]

बी. बी. राव, अधीक्षक सचिव

MINISTRY OF COAL

New Delhi, the 16th December, 1993

S. O. 78 Whereas it appears to the Central Government that Coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan bearing No. SECL/GM/(PLG)/Land/107 dated the 28th May, 1992 of the areas covered by this notification can be inspected in the office of the South Eastern Coalfields Limited (Revenue Section) Seepat Road Bilaspur-495001 or in the office of the Collector Shahdol (Madhya Pradesh), or in the office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in land covered by that notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Officer-in-Charge/Head of the Department (Revenue), South Eastern Coalfields Limited, Seepat Road, Bilaspur within ninety days from due date of publication of this notification in the Gazette of India.

SCHEDULE

Dhanpuri Block, Sohagpur Area

Distt. Shahdol (Madhya Pradesh)

[Plan No. SECL/BSP/GM/(PLG)/Land/107 dated 28th May, 1992]

(Showing land notified for prospecting)

Sl. Name of village No.	Patwari halka No.	Tehsil	District	Area in hect.	Remarks
1. Dhanpuri	98	Sohagpur	Shahdol	151.655	Part
2. Saraikapa	98	Sohagpur	Shahdol	238.778	Part
3. Gopalpur	100	Sohagpur	Shahdol	095.421	Part
4. Ahirgawan	100	Sohagpur	Shahdol	031.184	Part
5. Karkati	99	Sohagpur	Shahdol	018.871	Part
Total :				567.225 hectares (approximately)	OR
				1401.61 acres (approximately)	

Boundary Description

A-A1-B	Line starts from points 'A' in village Ahirgawan and passes through village Ahirgawan, Dhanpuri, Saraikapa, Dhanpuri and meets at point 'B'.
B-C	Line passes through village Dhanpuri and meets at point 'C'.
C-D	Line passes through villages Dhanpuri, Saraikapa, Karkati and meets at point 'D'.
D-A	Line passes through villages Karkati, Gopalpur, Ahirgawan and meets at the starting point 'A'.

[No. 43015/8/92-LSW]

B.B. RAO, Under Secy

नई दिल्ली, 16 दिसम्बर, 1993

का.पा. 79.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपायय अर्जुनी में, उल्लिखित भूमि में कोयला अधिसूचना किये जाने की संभावना है ;

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जा और विक्रय) अधिनियम, 1957 (1957 का 20) (जिसे इसने इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त क्षेत्र में कोयले का पुरवठा करने के अपने आशय की सूचना देता है।

इस अधिसूचना के अधीन आने वाले क्षेत्र रेखांक सं. एम.डी.सी.एल./बी.एस.पी./बी.एम. (पी. एल. जी.)/भूमि/126

तारीख 13 सितम्बर, 1993 का निर्देशक 'कोयला' गृहकोष/मरगुजा (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक 1, कार्जिल हाउस स्ट्रीट, कोयला के कार्यालय में या माउय ईस्टर्न कोलफील्ड्स लिमिटेड (राजस्थान अर्जुनी) सीपत रोड, बिलासपुर-495001 (मध्य प्रदेश) के कार्यालय में किया जा सकता है।

इस अधिसूचना के अधीन आने वाली भूमि में हितवश सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्ट और अन्य दस्तावेज, इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन के भीतर, भार साधक अधिकारी/विभागाध्यक्ष (राजस्थान) माउय ईस्टर्न कोलफील्ड्स लिमिटेड, सीपत रोड, बिलासपुर-495001 (मध्य प्रदेश) को भेजेंगे।

अनुसूची

अमृतधारा और सिरिया ब्लाक

हमदेव क्षेत्र

जिला गृहकोष और मरगुजा (मध्य प्रदेश)

रेखांक सं. एम.डी.सी.एल./बी.एस.पी./बी.एम. (पी. एल. जी.)/भूमि/126 तारीख 13 सितम्बर, 1993

राजस्थान भूमि

क्र.सं.	गांव/मोखा	बन्दीबस्त नम्बरांक	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पणियां
1.	हुमरकठार	404	कोतमा	गृहकोष	104.118	भाग
2.	मलगा	826	कोतमा	गृहकोष	1773.289	भाग
3.	भाटी सरई	790	कोतमा	गृहकोष	943.809	पूर्ण
4.	ठांकी	378	कोतमा	गृहकोष	926.929	पूर्ण

कुल 3748.145 हेक्टर (समग्र)

क्र.सं.	बन का नाम	रेंज	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पणियां
1. कांठा (भारक्षित बन)		चिरिमिरा	मनंदगढ़	सर्गुजा	366.653	भाग
			कुल—366.653 हेक्टर (लगभग)			
			कुल :	4114.798 हेक्टर (लगभग)		
			या	10167.66 एकड़ (लगभग)		

सीमा वर्णन :

- क-ख रेखा गहड़ोल और सर्गुजा जिलों की सम्मिलित सीमा पर बिन्दु "क" से आरम्भ होती है और सर्गुजा जिले के कोठा भारक्षित बन से होकर जाती है और भागतः सर्गुजा गहड़ोल जिले की सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु "ख" पर मिलती है।
- ख-ग रेखा, भागतः गहड़ोल और बिलासपुर जिलों की सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु "ग" पर मिलती है।
- ग-घ रेखा, टांकी, माटी सरई, मलवा ग्रामों की पश्चिमी सीमा के साथ-साथ जाती है और बिन्दु "घ" पर मिलती है।
- घ-क रेखा, भागतः मलवा ग्राम की उत्तरी सीमा के साथ-साथ जाती है और उसके बाद कुमरकछार, मलवा ग्रामों से होकर जाती है और आरम्भिक बिन्दु "क" पर मिलती है।

[सं. 43015/15/93-एल.एस. डब्ल्यू.]

बी०बी० राव, चयर सचिव

New Delhi, the 16th December, 1993

S.O. 79.—Whereas it appears to the Central Government that Coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan bearing number SECL/BSP/GM (PLG)/Land/126 dated the 13th September, 1993 of the area covered by this notification can be inspected in the office of the Controller, Shahdol Sarguja (Madhya Pradesh) or in the office of the Coal Controller, 1, Council House Street, Calcutta-700001 or in the office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur-495001 (Madhya Pradesh).

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Officer-in-Charge/Head of the Department (Revenue), South Eastern Coalfields Limited, Seepat Road, Bilaspur-495001 (Madhya Pradesh) within ninety days from the date of publication of this notification in the Official Gazette.

SCHEDULE

AMRITDHARA AND JHIRIA BLOCKS HASDEO AREA

District, Shahdol and Surguja (Madhya Pradesh)

Plan number SECL/BSP/GM(PLG)/Land/126

dated 13th September, 1993

Revenue Land

Sl. Village/Mouja No.	Settlement no.	Tahsil	District	Area in hect.	Remarks
1. Dumarkachhar	404	Kotma	Shahdol	104.118	Part
2. Malga	826	Kotma	Shahdol	1773.289	Part
3. Bhatisarai	790	Kotma	Shahdol	943.809	Full
4. Tanki	376	Kotma	Shahdol	926.929	Full

Total : 3748.145 hectares
(approximately)

Forest Land

Sl. No.	Name of Forest	Range	Tahsil	District	Area in hectares	Remarks
1.	Kora (Reserved Forest)	Chirimiri	Manendragarh	Surguja	366.653	Part
Total :						366.653 hectares. (approximately)
Grand Total						4114.798 hectares (approximately) or 10,167.66 acres (approximately)

Boundary description :

- A-B Line starts from point 'A' on the common boundary of Shahdol and Surguja districts and passes through Kora Reserved Forest of Surguja district and partly along the common boundary of Surguja-Shahdol district and meets at point 'B'.
- B-C Line passes partly along the common boundary of Shahdol and Bilaspur districts and meets at point 'C'.
- C-D Line passes along the western boundary of villages Tanki, Bhatisarai, Malga and meets at point 'D'.
- D-A Line passes partly along the northern boundary of village Malga and then through villages Dumarkachhar, Malga and meets at the starting point 'A'.

[No. 43015/15/93- LSW]

B.B. RAO, Under Secy.

कृषि मंत्रालय

(पशु पालन और डेरी विभाग)

नई दिल्ली, 17 दिसम्बर, 1993

का.आ. 80.—भारतीय पशु चिकित्सा परिषद अधिनियम, 1984 (1984 का 52) की धारा-1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार आन्ध्र प्रदेश में 4 मार्च, 1993 तथा कर्नाटक में 16 जनवरी, 1993 के दिनों को ऐसी तारीखों के रूप में एतद्वारा घोषणा करती है जिन दिनों में आन्ध्र प्रदेश तथा कर्नाटक राज्यों में उक्त अधिनियम के प्रावधान प्रभावी माने जायेंगे।

[संख्या 51-12/90-एल.डी.टी. (बी.सी.)]

भार. कण्डीर, अवर सचिव

वाच टिप्पणः—यह अधिनियम, हरियाणा, बिहार, उड़ीसा, हिमाचल प्रदेश तथा राजस्थान राज्यों और दिल्ली, अण्डमान तथा निकोबार द्वीप समूह, लक्षद्वीप, दादरा तथा नगर हवेली, गोवा, दमन तथा दीव, पाण्डिचेरी, चण्डीगढ़, मिजोरम, तथा अरुणाचल प्रदेश संघ राज्य क्षेत्रों में विनांक 13 जुलाई, 1985 के का.आ. संख्या 3248 द्वारा, मध्य प्रदेश तथा केरल राज्यों में 27 दिसम्बर, 1986 के का.आ. संख्या 4268 द्वारा, मणिपुर तथा मिक्किम राज्यों में 31 जनवरी, 1987 के का. आ. संख्या 283 द्वारा, उत्तर प्रदेश राज्य में 22 अक्टूबर, 1988 के का.आ. संख्या 3121 के द्वारा, असम राज्य में 16 जून, 1990 के का.आ. संख्या 1680 के द्वारा और नागालैण्ड राज्य में 5 सितम्बर, 1992 के का.आ. संख्या 2332 द्वारा प्रभावी हुआ था।

MINISTRY OF AGRICULTURE

(Department of A. H. and Dairying)

New Delhi, the 17th December, 1993

S.O. 80.—In exercise of the powers conferred by sub-section (3) of section 1 of the Indian Veterinary Council Act, 1984 (52 of 1984) the Central Government hereby appoints the 4th day of March, 1993 in Andhra Pradesh and 16th day of January, 1993 in Karnataka as the dates on which the provisions of the said Act shall come into force in the States of Andhra Pradesh and Karnataka

[No. 51-12/90-LDT(VC)]

R. KANDIR, Under Secy.

Foot Note : The Act was brought into force in the States of Haryana, Bihar Orissa, Himachal Pradesh and Rajasthan and the Union Territories of Delhi, Andaman and Nicobar Islands, Lakshadweep, Dadra and Nagar Haveli, Goa, Daman and Diu, Pondicherry, Chandigarh, Mizoram and Arunachal Pradesh vide No. S.O. 3248, dated 13th July, 1985, in the States of Madhya Pradesh and Kerala vide No. S.O. 4268, dated 27th December, 1986, in the States of Manipur and Sikkim vide No. S.O. 283, dated 31st January, 1987, in the State of Uttar Pradesh vide No. S.O. 3121, dated 22nd October, 1988, in the State of Assam vide No. S.O. 1680, dated 16th June, 1990 and in the State of Nagaland vide No. S.O. 2332, dated 5th September, 1992.

पेट्रोलियम और केमिकल्स मंत्रालय

(प्राकृतिक गैस विभाग)

शुद्धिपत्र

नई दिल्ली, 21 दिसम्बर, 1993

का.आ. 81.—भारत सरकार के राजपत्र भाग-II, खंड 3, उपखंड-II, में प्रकाशित नीचे दिए गए अधिसूचनाओं में नीचे दिए हुए तथ्यों के अनुसार पड़ितः

अ.क्र.	ग्राम	राजपत्र दिनांक	पन्ना क्रमांक	का.आ. क्रमांक और दिनांक	अधिसूचना का कलम	पड़ित		के स्थान पर	
						सर्वे क्रमांक	क्षेत्र	सर्वे क्रमांक	क्षेत्र
						हे. आर. ने. आर.		हे. आर. से. आर.	
1	2	3	4	5	6	7	8	9	10
01 तुडाल		5-10-93	05	का.आ. 751 (ई)	3(I)	गवठाण 7/1	00-09-80	7/1 पार्ट	00-09-80
				4-10-93		पार्ट			
						7/7	00-00-04	7/7	00-11-04
						पार्ट		पार्ट	

[संख्या एल-14016/6/93-जी.पी.]

अर्धेन्दु सेन, निदेशक

MINISTRY OF PETROLEUM AND CHEMICALS

(Department of Petroleum and Natural Gas)

CORRIGENDUM

New Delhi, the 21st December, 1993

S.O. 81.—The partial modification to the Notifications published under Petroleum & Minerals Pipe line Act, 1962 in the Govt. of India's Gazette as shown below (Part-II, Section-3, Sub-Section-II) be read as per following table.

Sl. No.	Village	Page No.	Gazette date	S.O.No. and date	Notification under section
1	2	3	4	5	6
1.	Tudal	05	5-10-93	S.O. 751E 4-10-93	3(I)

READ				IN PLACE OF		
Sl.No.	H	Are.	C.Are.	S.No.	H.Are.	C.Are.
7		8		9	10	
Gavthan 7/1 Part	00	09	80	7/1 Part	00	09 80

[No. L-14016/6/93-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 21 दिसम्बर, 1993

का.आ. 82.—यह: पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रो रसायन विभाग की अधिसूचना का.आ. 736(ई) तारीख 03-10-1992 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार की पाईप लाईन के बिछाने के प्रयोजन के लिये अर्जित करने का अपना आशय घोषित कर दिया था।

और अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट देवी है।

और आगे यह: भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निवेदन देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुंड्री में सर्वा बाधाओं से मुक्त रूप में भोषणा के प्रकाशन के तारिख से (नं. एल-14016/15/93 जी.पो.) निहित होगा।

अनुसूची

नरिमणम-स्पिक फैन-केमिकल्स गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्चें नं.	क्षेत्रफल		विवरण
				हेक्टेयर	एकड़ में	
पाण्डिचेरी	कारैकाल	20.पेवर्टे	32	0.27.0	0.67	
			38/5ए	0.56.0	1.38	
			42/3	0.01.0	0.02	
			42/5ए	1.12.0	2.77	
			42/6	0.01.0	0.02	
			11/1	0.05.5	0.13	
			11/4	0.01.5	0.04	
			10/3	0.08.0	0.20	
			10/4	0.09.0	0.22	
			10/5	0.17.0	0.42	
			4/2	0.48.0	1.19	

[नं. एल-14016/15/93-जी.पो.]

प्रभु सेन, निदेशक

New Delhi, the 21st December, 1993

S.O. 82.—Whereas by Notification of the Government of India in the Ministry of Petroleum S.O. No. 736(E) dated 03-10-1992 under Sub-section (I) of Section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands, specified in the Schedule appended to that notification for purpose of laying pipe line.

And whereas the Competent Authority has under Sub-section (I) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after

considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipe line.

And further in exercise of power conferred by sub section (4) of the Section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

GGs Narimanam—spic-Fine Chemicals Ltd., Thirunallar Gas pipeline Project.

State	District	Taluk	Village No. & Name	Survey Nos.	Area		Remarks
					In Hect.	In Are cents	
Pondicherry	Pondicherry	Karaikal	20 Pettai	32	0-27-0	0-67	
				38/5A	0-56-0	1-38	
				42/3	0-01-0	0-02	
				42/5 A	1-12-0	2-77	
				42/6	0-01-0	0-02	
				11/1	0-05-5	0-13	
				11/4	0-01-5	0-04	
				10/3	0-08-0	0-20	
				10/4	0-09-0	0-22	
				10/5	0-17-0	0-42	
				4/2	0-48-0	1-19	

[No. L-14016/15/93-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 21 दिसम्बर, 1993

का.प्र. 83 :—यन: पेट्रीनियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का वर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग नंबालय, रसायन और पेट्रो-रसायन विभाग की अधिसूचना का.प्र. 737(ई) तारीख 03-10-1992 द्वारा भारत सरकार ने उस अधिसूचना से तारा अनुसूची में बिलिखिट भूमियों के अधिकार को पाईप लाईन के बिछाने के प्रयोजन के लिए अजित करने का अपना प्राणय भोवित कर दिया था।

और धन: सक्षम अधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार की रिपोर्ट देवी है।

और धन: यत: भारत सरकार ने उक्त रिपोर्ट पर बिचार करने के पश्चात इस अधिसूचना से संलग्न अनुसूची में बिलिखिट भूमियों में उपयोग का अधिकार अजित करने का बिनिश्चय किया है।

धन धन: अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा भोवित करती है कि इस अधिसूचना से संलग्न अनुसूची में बिलिखिट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिए एतद्वारा अजित किया जाता है।

और धन: हम धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में लिखित होने के बजाय रीम अथॉरिटी आफ इंडिया लिमिटेड, राजकुंरी में सभी बाधाओं से मुक्त रूप में प्रयोग के प्रकाशित की तारीख से (नं. एल-14016/15/83-ओ.पी.) लिखित होगा।

अनुसूची

नरिमनम-स्पिक फैन-केमिकल्स गैस पाइप लाइन प्रोजेक्ट

अवयव	तहसील	ग्राम	सर्वे सं.	क्षेत्रफल		बिबरण
				हेक्टेयर	एकड़ में	
पण्डिचेरी	काराकाल	30 कीलमन	27/1	0.03.5	0.09	
			27/2	0.10.5	0.26	
			27/4	0.02.5	0.06	
			15/2	0.22.0	0.54	
			14/28	0.25.5	0.63	

[नं. एल-1416/15/92-जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 21st December, 1993

S.O. 83.—Whereas by Notification of the Government of India in the Ministry of Petroleum S.O. No. 737(E), dated 03-10-1992 under Sub-section (1) of Section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for purpose of laying pipe line.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipe line.

And further in exercise of power conferred by sub-section (4) of the said Section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

GGS Narimanam—Spic Fine Chemicals Ltd., Thirunallar Gas Pipeline Project.

State	District	Taluk	Vill. No. & Name	Survey Nos.	Area		Remarks
					In Hect. H.A	In Acre. cent A. C.	
Pondicherry	Pondicherry	Karaikal	30 Kizhamban-i	27/1	0-03-5	0-09	
				27/2	0-10-5	0-26	
				27/4	0-02-5	0-06	
				15/2	0-22-0	0-54	
				14/2A	0-25-5	0-63	

[No. L-14016/15/93-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 21 दिसम्बर, 1993

का.आ. 84--यतः पेट्रोलियम-और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) का धारा 3 की उपधारा (1) के अन्तर्गत भारत सरकार के उद्योग मंत्रालय, राजपूत और पेट्रो-रसायन विभाग की अधिसूचना का का.आ. 738(अ) तारीख 03-10-1992 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाईप लाईन बिछाने के प्रयोजन के लिये अर्जित करने का अर्थना प्रकाशित कर दिया था।

और अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अन्तर्गत भारत सरकार को रिपोर्ट दे दी है।

और आगे यतः भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुंडी में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशित होने की तारीख से निहित होगा।

अनुसूची

नरिणम रिफाई कै-मैमिक्लस गैस पाइप लाइन प्रोजेक्ट

खण्ड	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल		विवरण
				हेक्टेयर	एकड़ में	
तमिलनाडु	नरिणम	59. अरन्मोलेलेवन	102/2ए	0.01.0	0.02	
			102/2बी	0.23.5	0.71	
			101/1	0.09.0	0.22	
			101/2	0.13.5	0.33	

1	2	3	4	5	6	7
			106/1	0 04.0	0.10	
			74/6	0.06.0	0.15	
			74/7सी ¹	0.08.0	0.20	
			74/7सी ²	0.00.5	0.01	
			74/8	0.01.0	0.02	
			71/2ए	0.10.0	0.26	
			71/2बी	0.02.0	0.05	
			68/1	0.03.0	0.20	
			69/3	0.06.0	0.15	
			65/2	0.02.0	0.05	
			65/4	0.13.0	0.32	
			63/3	0.03.0	0.07	
			63/4	0.08.0	0.20	
			62/1ए	0.00.5	0.01	
			62/1बी	0.02.0	0.05	
			62/3	0.10.5	0.26	
			62/5	0.02.5	0.06	
			37/2	0.29.0	0.72	

[सं. एल-14016/15/93-जी.पी.]

अर्चेन्दु सेन, निदेशक

New Delhi, the 21st December, 1993

S.O. 84.—Whereas by Notification of the Government of India in the Ministry of Petroleum S.O. No. 738(E), dated 03-10-1992 under Sub-section (1) of Section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for purpose of laying pipe line.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government,

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipe line.

And further in exercise of power conferred by sub-section (4) of the said Section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

GGs Narimanam—Spic Fine Chemicals Ltd., Thirunallar Gas Pipe Project.

State	District	Taluk	Vill. No. & Name	Survey No.	Area		Remarks
					In Hct.	In Acre. Cents	
Tamil Nadu	Nagapattinam Quaid-E-Milleth	Nannilam	59 Arulmoli-thevan	102/2A	0-01-0	0-02	
				102/2B	0-23-5	0-71	
				101/1	0-09-0	0-22	
				101/2	0-13-5	0-33	
				106/1	0-04-0	0-10	
				74/6	0-06-0	0-15	
				74/8C ¹	0-08-0	0-20	
				74/7C ²	0-00-5	0-01	
				74/8	0-01-0	0-02	
				71/2A	0-10-5	0-26	
				71/2B	0-02-0	0-05	

1	2	3	4	5	6	7
			68/1	0-08-0	0-20	
			69/3	0-06-0	0-15	
			65/2	0-02-0	0-05	
			65/4	0-13-0	0-32	
			63/3	0-03-0	0-07	
			63/4	0-08-0	0-20	
			62/1A	0-00-5	0-01	
			62/1B	0-02-0	0-05	
			62/3	0-10-5	0-26	
			62/5	0-02-5	0-06	
			37/2	0-29-0	0-72	

[No. L-14016/15/93-G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 21 दिसम्बर, 1993

का.घा. 85.--यतः पेट्रोलियम और खनिज पार्श्वलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) द्वारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोरसायन विभाग की अधिसूचना का.घा. 739(ई) तारीख 03-10-1992 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पार्श्वलाईन के बिछाने के प्रयोजन के लिये अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पार्श्व लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाय गैस एचार्डिटी ऑफ इंडिया लिमिटेड, राउमंड्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशित होने की तारीख से (संख्या एल-14016/15/93-जी.पी.) निहित होगा।

अनुसूची

नरिमणम-स्विक फैन-केमिकल्स गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल		विवरण
				हेक्टेयर	एकड़ में	
तमिलनाडु	नरिमलम	58. बालथुर	113/11	0.01.0	0.02	
			113/12	0.01.0	0.02	
			113/13	0.01.0	0.02	
			98/3	0.07.0	0.17	
			98/4	0.04.0	0.10	
			96/2	0.10.0	0.25	
			94/11ए	0.05.0	0.12	
			94/11बी	0.05.0	0.12	
			94/12	0.13.0	0.32	

[सं. एल-14016/15/93-जी.पी.]

अर्धेन्दु सेन, निवेशक

New Delhi, the 21st December, 1993

S.O. 85.—Whereas by Notification of the Government of India in the Ministry of Petroleum S.O. No. 739(E), dated 03-10-1992 under Sub-section (1) of Section of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for purpose of laying pipe line.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipe line.

And further in exercise of power conferred by sub-section (4) of the Section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

GGs Narimanam—Spic Fine Chemicals Ltd., Thirunallar Gas Pipeline Project.

State	District	Taluk	Vill. No. & Name	Survey Nos.	Area		Remark
					In Hect.	In Ac. Cents	
					H.A.	A.C.	
Tamil Nadu	Nagapattinam	Nanailam Quaid-e-Milleth	58 Alathur	113/11	0-01-0	0-02	
				113/12	0-01-0	0-02	
				113/13	0-01-0	0-02	
				98/3	0-07-0	0-17	
				98/4	0-04-0	0-10	
				96/2	0-10-0	0-25	
				94/11A	0-50-0	0-12	
				94/11B	0-05-0	0-12	
				94/12	0-13-0	0-32	

[No. L-14016/15/93-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 21 दिसम्बर, 1993

का.प्रा. 86.—यतः पेट्रोमियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोसायन विभाग की अधिसूचना का.प्रा. 740(ई) तारीख 3-10-1992 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाईप लाईन के बिछाने के प्रयोजन के लिये अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब यतः अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाय रूस अथारिटी आफ इंडिया लिमिटेड, राशंसुद्गी में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से (संख्या एल-14016/15/93-जी.पी.) निहित होगा।

अनुसूची

नरिमनगन-स्थिक फैन-फेमिकस सैस पाक्ष लाइन परियोजना

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल हेक्टेयर	क्षेत्रफल एकड़ में	विवरण
तमिलनाडु	नरिमलम	60. कोठामंगलम	38/3सी	0.05.0	0.12	
			39/15	0.02.5	0.06	
			39/16	0.00.5	0.01	
			39/20रू	0.05.0	0.12	
			39/20बी	0.01.5	0.04	
			39/22	0.00.5	0.01	
			39/24	0.02.0	0.05	
			43/2सी	0.02.0	0.05	
			43/3	0.03.0	0.07	
			43/5ए	0.00.5	0.01	
			43/6	0.01.5	0.04	
			43/7	0.01.5	0.04	
			43/11ए	0.05.0	0.12	
			43/14बी	0.04.0	0.10	
			43/15	0.01.5	0.04	
			40/5	0.12.0	0.30	
			41/13	0.03.5	0.09	
			41/16	0.01.0	0.02	
			13/2	0.10.0	0.25	
			14/1ए	0.03.5	0.09	
			14/1बी	0.02.0	0.05	
			14/4बी	0.00.5	0.01	
			14/5	0.02.0	0.05	
			14/21	0.08.0	0.20	
			15/2ए	0.00.5	0.01	
			15/2बी	0.09.0	0.22	
			15/2बी	0.03.0	0.07	
			15/3सी	0.01.0	0.02	
			11/4	0.03.0	0.07	
			10/5	0.06.0	0.15	
			9/6बी	0.12.0	0.30	
			9/10	0.01.0	0.02	
			9/11	0.01.0	0.02	
			9/12	0.04.0	0.10	
			9/13	0.00.5	0.01	
			8/1	0.03.0	0.07	
			8/2	0.03.0	0.07	
			8/3	0.03.0	0.07	
			8/4	0.01.5	0.04	
			7/6	0.08.5	0.21	
			7/7	0.02.5	0.06	
			7/8	0.06.0	0.15	
			3/7बी	0.02.0	0.05	
			3/8 बी	0.10.5	0.26	

[सं. एन-14016/15/93-जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 21st December, 1993

user in the lands specified in the schedule appended to this Notification;

S.O. 86.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 740(E), dated 03-10-1992 under Sub-section (I) of Section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (I) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

Now, therefore, in exercise of the power conferred by Sub-section (I) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the Section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

G.G.S. Narimanam—Spic Fine Chemicals Ltd., Thirunallar Gas Pipeline Project.

State	District	Taluk	Vill. No. & Name	Survey No.	Area		Remarks
					In Ha. H.A	In Are Cent. A.C.	
Tamil Nadu	Nagapattinam	Nannilam Quaid-e-Milleth	60 Kothamangalam	38/3C	0-05-0	0-12	
				39/15	0-02-5	0-06	
				39/16	0-00-5	0-01	
				39/20A	0-05-0	0-12	
				39/20B	0-01-5	0-04	
				39/22	0-00-5	0-01	
				39/24	0-02-0	0-05	
				43/2C	0-02-0	0-05	
				43/3	0-03-0	0-07	
				43/5A	0-00-5	0-01	
				43/6	0-01-5	0-04	
				43/7	0-01-5	0-04	
				43/14A	0-05-0	0-12	
				43/14B	0-04-0	0-10	
				43/15	0-01-5	0-04	
				40/5	0-12-0	0-30	
				41/13	0-03-5	0-09	
				41/16	0-01-0	0-02	
				13/2	0-10-0	0-25	
				14/1A	0-03-5	0-09	
				14/1B	0-02-0	0-05	
				14/4B	0-00-5	0-01	
				14/5	0-02-0	0-05	
				14/21	0-08-0	0-20	
				15/2A	0-00-5	0-01	
				15/2B	0-09-0	0-22	
				15/2D	0-03-0	0-07	
				15/3C	0-01-0	0-02	
				11/4	0-03-0	0-07	
				10/5	0-06-0	0-15	
				9/6B	0-12-0	0-30	
				9/10	0-01-0	0-02	
				9/11	0-01-0	0-02	
				9/12	0-04-0	0-10	
				9/13	0-00-5	0-01	
				8/1	0-03-0	0-07	
				8/2	0-03-0	0-07	

	4	5	6	7	8
60. Kothamangalam—Contd.	8/3	0-03-0	0-07		
	8/4	0-01-5	0-04		
	7/6	0-08-5	0-21		
	7/7	0-02-5	0-06		
	7/8	0-06-0	0-15		
	3/7B	0-02-0	0-05		
	3/8B	0-10-5	0-26		

[No. L-14016/15/93-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 21 दिसम्बर, 1993

का.पा. 87 : यह पेट्रोलियम और गतिज पाईप लाईन (भूमि में उपयोग के अधिकार का प्रजन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के अश्वमेध मंत्रालय, रसायन और पेट्रो-रसायन विभाग की अधिसूचना का.पा. 742(अ) तारीख 03-10-1992 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाईप लाईन के बिछाने के प्रयोजन के लिये अर्जित करने का अपना प्राक्कण घोषित कर दिया था।

और अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और प्राप्ति यतः भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और प्राप्ति इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमंडी में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशित की तारीख से (नं. एन-14016/15/93-जी.पा.) निहित होगा।

अनुसूची

जरिमणम-स्पिक फैन-केकिक्लस गैस पाइप लाइन परियोजना

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल		विवरण
				हेक्टेयर	एकड़ में	
1	2	3	4	5	6	7
राजसमाधु	दक्षिण	61. अमरकंटक	178/1	0.11.0	0.27	
			178/2	0.03.0	0.08	
			174/2	0.10.0	0.25	
			177/1	0.10.0	0.25	
			176/1	0.09.0	0.22	
			175/3बी	0.09.0	0.22	
			175/4	0.05.0	0.12	
			172/4	0.05.0	0.12	
			172/5	0.04.0	0.10	
			170/2	0.04.0	0.10	
			15/2	0.02.0	0.05	
			14/1	0.00.5	0.01	
			14/2	0.03.0	0.07	
			14/3	0.09.0	0.22	
			14/4	0.01.0	0.02	
			14/5	0.01.0	0.02	
			12/1ए	0.36.0	0.89	
			11/6	0.04.0	0.10	
			11/7ए	0.04.0	0.10	

1	2	3	4	5	6	7	8
तमिलनाडु	नल्लिकम	61. अगरकैण	11/8		0-08-0	0-20	
			28/2ए ¹		0-13-0	0-32	
			28/1		0-05-0	0-12	
			28/2ए ²		0-01-0	0-02	
			28/2ए ³		0-05-0	0-12	
			29/4ई ³		0-02-0	0-05	

[सं. 14016/15/93-जी.पी.]

अर्धेन्दु सेन, निदेश

New Delhi, the 21st December, 1993

S.O. 87.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. No. 742(E) dated 3-10-92 under Sub-section (1) of Section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the said Section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

G.G.S. Narimanam—Spic Fine Chemicals Ltd., Thirunallar Gas Pipeline Project.

State	District	Taluk	Vil. No. & Name	Survey Nos.	Area		Remarks
					In Hets. H.A.	In Acre Cent A.C.	
Tamil Nadu	Nagapattinam	Nannilam	61 Agarakonthagai	178/1	0-11-0	0-27	
				178/2	0-03-0	0-08	
				174/2	0-10-0	0-25	
				177/1	0-10-0	0-25	
				176/1	0-09-0	0-22	
				175/3B	0-09-0	0-22	
				175/4	0-05-0	0-12	
				172/4	0-05-0	0-12	
				172/5	0-04-0	0-10	
				170/2	0-04-0	0-10	
				15/2	0-02-0	0-05	
				14/1	0-00-5	0-01	
				14/2	0-03-0	0-07	
				14/3	0-09-0	0-22	
				14/4	0-01-0	0-02	
				14/5	0-01-0	0-02	
				12/1A	0-36-0	0-89	
				11/6	0-04-0	0-10	
				11/7A	0-04-0	0-10	
				11/8	0-08-0	0-20	
				28/2A ¹	0-13-0	0-32	
				28/1	0-05-0	0-12	
				28/2A ²	0-01-0	0-02	
				28/2A ³	0-05-50	0-12	
				29/4E ³	0-02-0	0-05	

[No. L-14016/15/93-G.P.
ARDHENDU SEN, Director

नई दिल्ली, 21 दिसम्बर, 1993

का. आ. 88 .—यह: पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) धारा 6 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोरसायन विभाग की अधिसूचना का आ. 735 (इ) तारीख 03-10-1992 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाईप लाईन के बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाय गैस अथारिटी आफ इन्डिया लिमिटेड, राजमंडी में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशित की तारीख से निहित होगा।

अनुसूची
नरिमणम-स्पिक फैन-केमिकल्स गैस पाइप लाइन प्राजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल		विवरण
				हेक्टे	एकड़ में	
तमिलनाडु	नननिलम	62. थिट्टचेरि	160/1बी	0.09.5	0.23	
			159/3	0.03.5	0.09	
			159/6	0.11.5	0.28	
			159/10	0.09.0	0.22	
			103/9	0.00.5	0.01	
			103/11	0.01.5	0.04	
			103/12	0.02.5	0.06	
			103/14	0.02.0	0.05	
			103/15	0.02.5	0.06	
			103/16	0.04.0	0.10	
			104/1	0.11.5	0.28	
			105/2बी	0.04.0	0.10	
			105/3	0.00.5	0.01	
			105/4	0.03.0	0.07	
			105/5	0.04.5	0.11	
			105/6ए	0.02.0	0.05	
			105/6बी	0.10.5	0.26	
			81/1	0.18.0	0.46	
			81/2	0.01.0	0.02	
			81/4	0.04.0	0.10	
			81/6	0.04.0	0.10	
			81/7	0.03.5	0.09	
			81/9	0.01.5	0.04	

[सं. एल-14016/15/93—जी. पी.]

अर्घेन्दु सेन, निदेशक

New Delhi, the 21st December, 1993

S.O. 88.—Whereas by Notification of the Government of India in the Ministry of Petroleum S.O. No. 735(E) dated 3-10-92 under Sub-section (I) of Section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land, Act, 1962 (20 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for purpose of laying pipe line.

And whereas the Competent Authority has under Sub-section (I) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the Pipe Line.

And further in exercise of power conferred by sub-section (4) of the Section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

G.G.S Narimanam—Spic Fire Chemicals Ltd., Thirunallar Gas Pipeline Project.

State	District	Taluk	Vill. No. & Name	Survey No.	Area		Remarks
					In Hectare	In Acre Cent	
Tamil Nadu	Nagapattinam	Nannailam	62 Thitta-cherri	160/1B	0-09-5	0-23	
				159/3	0-03-5	0-09	
				159/6	0-11-5	0-28	
				159/10	0-09-0	0-22	
				103/9	0-00-5	0-01	
				130/11	0-01-5	0-04	
				103/12	0-02-5	0-06	
				103/14	0-20-0	0-05	
				103/15	0-02-5	0-06	
				103/16	0-04-0	0-10	
				104/1	0-11-5	0-28	
				105/2B	0-04-0	0-10	
				105/3	0-00-5	0-01	
				105/4	0-03-0	0-07	
				105/5	0-04-5	0-11	
				105/6A	0-02-0	0-05	
				105/6B	0-10-5	0-26	
				81/1	0-18-5	0-46	
				81/2	0-01-0	0-02	
				81/4	0-04-0	0-10	
				81/6	0-05-0	0-10	
				81/7	0-03-5	0-09	
				81/9	0-01-5	0-04	

[No. L-14016/15/93-G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 21 दिसम्बर, 1993

का. आ. 89.—यतः पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 6 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, सायन और पेट्रोसायन विभाग की अधिसूचना का. आ.तारीख.....1992 द्वारा भारत सरकार ने उस प्रवि बनाव से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाईप लाईन के बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब आता अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन विछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इन्डिया लिमिटेड, राजभुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशित की तारीख से निहित होगा।

अनुसूची

नरिमणम-स्पिक फैन-कैमिकल्स गैस पाइपलाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल हेक्टे	एकड़ में	विवरण
तमिलनाडु	नननिलम	120. कुलालन	36.11	0-00-5	0-01	

[सं. एल-14016/15/93-जी. पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 21st December, 1993

S.O. 89.—Whereas by Notification of the Government of India in the Ministry of Petroleum S.O. No..... dated.....under Sub-section (1) of Section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (10 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for purpose of laying pipe line.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the Pipe Line.

And further in exercise of power conferred by sub-section (4) of the Section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

G.G.S. Narimanam-SPIC Fine Chemicals Ltd., Thirunallar Gas P/L Project

State	District	Taluk	Village No. & Name	Survey No.	Area	Remarks
					In Hectares In Acre	
Tamil Nadu	Nagapattinam	Nannilam	120-Kuthalam	36-11	0-00-5	0-01
	Quaid-E-Milleth					

[No. L. 14016/15/93-GP]

ARIDHENDU SEN, Director

नई दिल्ली, 21 दिसम्बर, 1993

का.आ. 90:— यतः पेट्रोलियम और खनिज पार्श्व लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) धारा 6 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, खान और पेट्रोलियम विभाग की अधिसूचना का.आ. तारीख 1992 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पार्श्व लाइन के विछाने के प्रयोजन के लिये अर्जित करने का अग्रता आशय घोषित कर दिया था।

और अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूचा में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पार्श्व लाइन विछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इण्डिया लिमिटेड, राजमुंड़ी में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशित की तारीख से निहित होगा।

अनुसूची

तरिमणम—स्पिक फैन केमिकल्स गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल		विवरण
				हेक्टर.	एकड़ में	
1	2	3	4	5	6	7
तमिलनाडु	तन्निस्लम	62 विट्टटचेरि	223/2 बी	0-00-5	0-01	
			223/7 बी	0-06-0	0-15	
			223/6 ए/7 ए	0-12-0	0-30	
			224/1	0-06-0	0-15	
			224/2	0-03-0	0-07	
			224/3	0-02-0	0-05	
			224/4	0-04-0	0-10	
			224/5	0-00-5	0-01	
			224/7	0-01-0	0-02	
			225/17	0-06-5	0-16	
			225/23	0-00-5	0-01	
			225/24	0-03-5	0-09	
			235/2	0-06-5	0-16	
			235/3	0-01-5	0-04	
			227/10	0-00-5	0-01	
			227/11	0-05-0	0-12	
			227/12	0-05-5	0-13	
			227/14	0-03-5	0-08	
			227/15	0-03-5	0-08	
			227/16	0-03-5	0-08	
			227/17	0-01-5	0-04	
			228/1बी	0-06-0	0-15	

1	2	3	4	5	6	7
तमिलनाडु	तननिलम	62 बिट्टचेरि	228/2	0-00-5	0-01	
			228/3	0-03-0	0-07	
			228/4	0-03-0	0-07	
			228/5	0-02-0	0-05	
			228/10	0-06-0	0-15	
			228/11	0-00-5	0-01	
			229/2	0-04-0	0-10	
			229/4	0-02-0	0-05	
			229/5	0-04-5	0-11	
			229/6	0-00-5	0-01	
			229/7	0-02-0	0-05	
			229/8	0-00-5	0-01	
			229/18	0-03-0	0-07	
			171/3	0-03-0	0-07	
			171/6	0-11-0	0-27	
			164/2ए	0-03-0	0-07	
			164 2बी	0-08-5	0-21	
			164/3	0-03-0	0-07	
			164/4	0-06-0	0-15	
			164/5	0-03-0	0-07	
			164/6	0-04-0	0-10	
			164/7	0-02-0	0-05	
			165/8बी	0-01-5	0-04	
			163/4	0-04-0	0-10	
			163/6	0-00-5	0-01	
			163/7	0-03-0	0-07	
			163/10ए	0-01-0	0-02	
			163/10बी	0-05-0	0-12	
			163/10सी	0-01-0	0-02	
			163/11ए	0-00-5	0-01	
			162/4	0-03-5	0-09	
			162/6ए	0-03-0	0-07	
			162/6बी	0-01-5	0-04	

[सं. एल-14016/15/93-जी. पी.]

अर्घेन्दु सेन, निदेशक

New Delhi, the 21st December, 1993

S.O. 90.—Whereas by Notification of the Government of India in the Ministry of Petroleum S.O. No..... datedunder Sub-section (I) of Section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (30 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for purpose of laying pipe line.

And whereas the Competent Authority has under Sub-section (I) of Section 6 of the said Act, submitted report to the Government,

And, further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the Pipe Line.

And further in exercise of power conferred by sub-section (4) of the Section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

G.G.S. Narimanam-SPIC Fine Chemicals Ltd., Thirunallar Gas P/L Project

State	District	Taluk	Village No. & Name	Survey No.	Area		Remarks
					In Hectares	In Acre	
1	2	3	4	5	6	7	8
Tamil Nadu	Nagapattinam Quaid-E-Milleth	Nannilam	62-Thittacherry	223/2B	0-00-5	0-01	
				223/7B	0-06-0	0-15	
				223/6A/7A	0-12-0	0-30	
				224/1	0-06-0	0-15	
				224/2	0-03-0	0-07	
				224/3	0-02-0	0-05	
				224/4	0-04-0	0-10	
				224/5	0-00-5	0-01	
				224/7	0-01-0	0-02	
				225/17	0-06-5	0-16	
				225/23	0-00-5	0-01	
				225/24	0-03-5	0-09	
				235/2	0-06-5	0-16	
				235/3	0-01-5	0-04	
				227/10	0-00-5	0-01	
				227/11	0-05-0	0-12	
				227/12	0-05-5	0-13	
				227/14	0-03-5	0-09	
				227/15	0-03-5	0-09	
				227/16	0-03-5	0-09	
				227/17	0-01-5	0-04	
				228/1B	0-06-0	0-15	
				228/2	0-00-5	0-01	
				228/3	0-03-0	0-07	
				228/4	0-03-0	0-07	
				228/5	0-02-0	0-05	
				228/10	0-06-0	0-15	
				228/11	0-00-5	0-01	
				229/2	0-04-0	0-10	
				229/4	0-02-0	0-05	
				229/5	0-04-5	0-11	
				229/6	0-00-5	0-01	
				229/7	0-02-0	0-05	
				229/8	0-00-5	0-01	
				229/18	0-03-0	0-07	
				171/3	0-03-0	0-07	
				171/6	0-11-0	0-27	
				164/2A	0-03-0	0-07	
				164/2B	0-08-5	0-21	
				164/3	0-03-0	0-07	
				164/4	0-06-0	0-15	
				164/5	0-03-0	0-07	
				164/6	0-04-0	0-10	
				164/7	0-02-0	0-05	
				165/8B	0-01-5	0-04	
				163/4	0-04-0	0-10	
				163/6	0-00-5	0-01	
				163/7	0-03-0	0-07	
				163/10A	0-01-0	0-02	
				163/10B	0-05-0	0-12	
				163/10C	0-01-0	0-02	
				163/11A	0-00-5	0-01	
				162/4	0-03-5	0-09	
				162/6A	0-03-0	0-07	
				162/6B	0-01-5	0-04	

नई दिल्ली, 21 दिसम्बर, 1993

का. आ. 91:—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोरसायन विभाग की अधिसूचना का. आ. तारीख 1992 द्वारा भारत सरकार ने उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाइन के बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाय गैर अपारिशिद अंक इंजिना लिमिटेड, राजगंडी में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशित की तारीख से निहित होगा।

अनुसूची

नरिमणम—स्लिक फैन—कैमिकल्स गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल		विवरण
				हेक्टे.	एकड़ में	
समिलताडु	ननशीलम	118 एरवानचेरि	218/1बी	0.00.5	0.01	
			218/1ए2	0.02.0	0.05	
			218/1ए3	0.11.0	0.27	
			218/2	0.01.0	0.02	
			217/4	0.05.0	0.12	
			219/2	0.11.0	0.27	
			219/3ए1	0.00.5	0.01	
			220/1	0.05.0	0.12	
			220/2	0.10.5	0.26	
			220/3	0.09.0	0.22	
			221/2	0.05.0	0.12	
			116/1	0.09.0	0.22	
			115/1ए	0.17.0	0.42	
			115/2	0.08.0	0.20	
			115/3	0.02.5	0.06	
			114/2	0.01.0	0.02	
			114/3	0.00.5	0.01	

[उ. एन-14016/15/93-जी.पी.]

अधेनु सेन, निदेशक

New Delhi, the 21st December, 1993

S. O. 91.—Whereas by Notification of the Government of India in the Ministry of Petroleum S.O. No..... datedunder Sub-section (1) of Section of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for purpose of laying pipe line.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the Pipe Line.

And further in exercise of power conferred by sub-section (4) of the Section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

G.G.S. Narimanam-SPIC Fine Chemicals Ltd. Thirunallar Gas P/L Project

State	District	Taluk	Village No. & Name	Survey No.	Area		Remarks
					In Hectares	In Acre	
Tamil Nadu	Nagapattinam quaid-EMillath	Nannilam	18-Eravanjeri	218/1B	0-00-5	0-01	
				218/1A2	0-02-0	0-05	
				218/1A3	0-11-0	0-27	
				218/2	0-01-0	0-02	
				217/4	0-05-0	0-12	
				219/2	0-11-0	0-27	
				219/3A1	0-00-5	0-01	
				220/1	0-05-0	0-12	
				220/2	0-10-5	0-26	
				220/3	0-02-0	0-22	
				221/2	0-05-0	0-12	
				116/1	0-02-0	0-22	
				115/1A	0-17-0	0-12	
				115/2	0-03-0	0-20	
				115/3	0-02-5	0-06	
				114/2	0-01-0	0-02	
				114/3	0-02-5	0-01	

[No. L-14016/15/93-G.P.]
ARD HENDU SEN, Director

नई दिल्ली, 21 दिसम्बर, 1993

का.आ. 92. —यह. पेट्रोलियम और खनिज पाईप लाइन (भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोरसायन विभाग की अधिसूचना का.आ. तारीख 1992 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाईप लाइन के बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यह: भारत सरकार ने उक्त रिपोर्ट पर विचार करने के तत्वात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निवेश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लिमिटेड, राजमंत्रो में सभी बाधाओं से मुक्त स्तर में घोषणा के प्रकाशन को तारीख से (नं. एल-14016/15/93 जो. वो) निहित होगा।

अनुसूची

नारिमनम-स्पिक फ़ैन-कैमिकल्स गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल		विवरण
				हेक्टे.	एकड़ में	
तमिलनाडु	नानिलम	121 गोपुराजपुरम	2/4बी	0.00.5	0.01	
			4/1	0.01.5	0.04	
			9	0.23.5	0.58	
			11	0.04.0	0.10	
			10	0.06.0	0.15	
			1/2	0.02.0	0.05	
			1/4	0.03.0	0.08	
			10/7	0.01.0	0.02	

[नं. एल-14016/15/93-जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 21st December, 1993

S. O. 92.—Whereas by Notification of the Government of India in the Ministry of Petroleum S.O. No.,..... dated..... under Sub-section (1) of Section of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for purpose of laying pipe line.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the Pipe Line.

And further in exercise of power conferred by sub-section (4) of the Section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

G.G.S. Narimanam-SPIC Fine Chemicals Ltd.' Thirunallar Gas P/L Project

State	District	Taluk	Village No. & Name	Survey No.	Area		Remarks
					In Hectares	In Acres	
Tamil Nadu	Nagapattinam Quaid-E Milleth	Nannilam	121-Gopuraja-apuram	2/4B	0-00-5	0-01	
				4/1	0-01-5	0-04	
				9	0-23-5	0-58	
				11	0-04-0	0-10	
				10	0-06-0	0-15	
				1/2	0-02-0	0-05	
				1/4	0-03-0	0-08	
				1/7	0-01-0	0-02	

[No. L-14016/15/93-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 30 दिसम्बर, 1993

का.आ. 93.—केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कांडला से पंजाब राज्य में भटिंडा तक राजस्थान और हरियाणा से होकर पेट्रोलियम के परिवहन के लिए इंडियन आयल कारपोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए;

और ऐसा प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना में उल्लेख अनुसूची में वर्णित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है;

अतः केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर, उनमें उपयोग के अधिकार के अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आपत्ति लिखित रूप में श्री श्रीराम वर्मा, संयुक्त अधिकारी और सक्षम प्राधिकारी, इंडियन आयल कारपोरेशन लिमिटेड, कांडला भटिंडा पाइपलाइन परियोजना, डी-45-बी सुभाष मार्ग, 'सी' स्कीम, जयपुर-302 001 को कर सकेगा।

अनुसूची

तहसील : अमर	जिला : जयपुर	राज्य : राजस्थान		
		क्षेत्रफल		
गांव का नाम	खसरा नम्बर	हेक्टेयर	घार	बर्गमीटर
1	2	3	4	5
स्यारी	63	00	27	36
रामपुरा उर्फ बान्यावाला	73	00	02	86
	74	00	05	40
	76	00	28	16

[सं. भार-31015/3/92-ओ भार-I]

| कुलदीप सिंह, अवर सचिव

New Delhi, the 30th December, 1993

S.O. 93.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kandla in the State of Gujarat to Bhatinda in the State of Punjab, via Rajasthan and Haryana, pipeline should be laid by the Indian Oil Corporation Limited;

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub section (1) of section 3 of the petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may within 21 days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the Right of User therein or laying of the

pipeline under the land to Shri Shri Ram Verma, Liaison Officer and competent authority, Indian Oil Corporation Limited, Khandla-Bhatinda Pipeline Project, D-45/B, Subhash Marg, 'C' Scheme, Jaipur-302 001;

SCHEDULE

Tehsil : Amber		District : Jaipur		State : Rajasthan	
Name of Village	Khasra No.	Area			
		Hectare	Are	Centi-Are	
1	2	3	4	5	
Syari	63	00	27	36	
Rampura Urf	73	00	02	86	
Banyawala	74	00	05	40	
	76	00	28	16	

[No. R-31015/3/92-O.R.-I]
KULDIP SINGH, Under Secy.

दिल्ली विकास प्राधिकरण

सार्वजनिक सूचना

नई दिल्ली, 23 दिसम्बर, 1993

का.आ. 94--दिल्ली विकास (मुख्य योजना तथा क्षेत्रीय विकास योजना) नियम, 1959 के नियम 5 के साथ पठित दिल्ली विकास अधिनियम, 1957 (1957 का 61) की धारा 10(1) के अन्तर्गत राष्ट्रीय राजधानी क्षेत्र दिल्ली की क्षेत्रीय विकास योजना के प्रारूप को तैयार करने तथा उसके प्रकाशन के लिए सूचना।

एतद्वारा सूचना दी जाती है कि :-

(क) राष्ट्रीय राजधानी क्षेत्र दिल्ली के जोन बी के लिए एक क्षेत्रीय विकास योजना प्रारूप तैयार कर लिया गया है।

और

(ख) उसका एक प्रति निरीक्षण के लिए दिल्ली विकास प्राधिकरण के कार्यालय, भूतल, विकास मीनार के आगे पैरा 3 में उल्लिखित तारीख तक सभी कार्य दिवसों के दौरान प्रा. 11.00 बजे से सायं 5.00 बजे तक उपलब्ध होगी।

2. इस प्रारूप योजना के संबंध में एतद्वारा आपत्ति एवं सुझाव आवाजित किए जाते हैं।

3. आपत्ति एवं सुझाव लिखित रूप से आयुक्त एवं सचिव, दिल्ली विकास प्राधिकरण, विकास सदन, नई दिल्ली 23 को सन् 1994 के जनवरी महीने की 31 तारीख से पहले भेजे।

आपत्ति/सुझाव भेजने वाले व्यक्ति को अपना नाम व पता भी अवश्य देना चाहिए।

[फाउल सं. एफ 1(18) 92-जेड.पी.]

विश्व मोहन दंसल, आयुक्त एवं सचिव

DELHI DEVELOPMENT AUTHORITY

PUBLIC NOTICE

New Delhi, the 23rd December, 1993

S.O. 94.—Notice under section 10(1) of the Delhi Development Act, 1957 (No. 61 of 1957) read with rule 5 of the Delhi Development (Master Plan and Zonal Development Plan) Rule, 1959 of the preparation and publication of the draft of the Zonal Development Plan for the National Capital Territory of Delhi.

Notice is hereby given that :

(a) A draft of a Zonal Development Plan for Zone B in the National Capital Territory of Delhi has been prepared; and

(b) a copy thereof will be available for inspection of the office of the Delhi Development Authority, on Ground Floor, Vikas Minar between hours, of 11 A.M. to 5 P.M. on all working days till the date mentioned in para 3 hereinafter.

2. Objection and suggestions are hereby invited with respect to this draft plan.

3. The objection or suggestion may be sent in writing to the Commissioner-cum-Secretary, Delhi Development Authority Vikas Sadan, New Delhi-23, before the 31st day of January, 1994.

Any person making the objection or suggestion should also give his name and address

[F. No. 1(18)/92-ZP]

V. M. BANSAL, Commissioner-cum-Secy.

सार्वजनिक सूचना

नई दिल्ली, 23 दिसम्बर, 1993

का.आ. 95.--केन्द्रीय सरकार का दिल्ली की मुख्य योजना/क्षेत्रीय विकास योजना में निम्नलिखित संशोधन करने का प्रस्ताव है, जिसे जनता की जानकारी के लिए एतद्वारा प्रकाशित किया जाता है। प्रस्तावित संशोधन के संबंध में यदि किसी व्यक्ति को कोई आपत्ति हो अथवा सुझाव देना हो तो वह अपनी आपत्ति अथवा सुझाव लिखित रूप से इस सूचना के जारी होने की तिथि से तीस दिन की अवधि के अन्दर आयुक्त एवं सचिव, दिल्ली विकास प्राधिकरण, विकास सदन, 'बी ब्लॉक', आई.एन.ए. नई दिल्ली को भेज दे। आपत्ति करने वाला सुझाव देने वाले व्यक्ति की अपना नाम और पतावार का पूरा पता भी अवश्य देना चाहिए।

संशोधन

"शहरी विस्तार में आने वाले और पश्चिम में जो.टी. करनल रो (राष्ट्रीय राजमार्ग-1) तथा दक्षिण में रोड सं. 50 और उत्तर और पूर्व में प्राचीन उपयोग जोन क्षेत्र जहांगीरपुरी से घिरे हुए लगभग 29.3 हेक्टर (72 एकड़) क्षेत्र के भूमि उपयोग को "भार्यण उपयोग क्षेत्र" में "वेयर हाउसिंग एवं स्टोरेज" (व्यावसायिक) 21.1 हेक्टर एवं "मनोरंजन क्षेत्र" (8.1 हेक्टर) में बदले जाने का प्रस्ताव है।"

2. प्रस्तावित संशोधन को बर्ताने वाला नक्शा निरीक्षण के लिए उपर्युक्त अवधि के दौरान सभी कार्य दिवसों के उपनिदेशक (मुख्य योजना कार्यालय, विकास मीनार, छठी मंजिल, इन्द्रप्रस्थ एस्टेट, नई दिल्ली के पास उपलब्ध होगा।

[सं. एफ 20(4) 93-एम.बी.]

वी.एम. बंसल, आयुक्त एवं सचिव

PUBLIC NOTICE

New Delhi, the 23rd December, 1993

S.O. 95.—The following modification which the Central Government proposes to make in the Master Plan/Zonal Development Plan for Delhi, is hereby published for public information. Any person having any objection/suggestion with respect to the proposed modification may send the objections/suggestions in writing to the Commissioner-cum-Secretary, Delhi Development Authority, Vikas Sadan, 'B' Block, INA, New Delhi within a period of thirty days from the date of issue of this notice. The person making objections/suggestions should also give his name and complete postal address.

MODIFICATION :

"The land use of an area, measuring about 29.31 ha. (72 acres) falling in Urban Extension and bounded by G.T. Karnal Road (N.H. 1) on the West road no. 50 on the South and rural use Zone area and Jahangirpuri on the North and East, is proposed to be changed from 'rural use zone' to 'warehousing and storage' (Commercial) (21.1 ha.) and 'recreational' (8.1 ha.)."

The Plan indicating the proposed modification will be available for inspection in the office of the Deputy Director Master Plan Section, 6th floor, Vikas Minar, IP Estate, New Delhi, on all working days during the period referred above.

[No. F. 20(4)93-MP]

V. M. BANSAL, Commissioner-Cum-Secy.

श्रम मंत्रालय

नई दिल्ली, 9 दिसम्बर, 1993

का. प्रा. 96.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में एस सी ओएम के प्रबंधन के संवद्ध नियोजकों और उनके कार्यकारी के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचपद को प्रेषित करती है, जो केन्द्रीय सरकार को 8-12-93 का प्राप्त हुआ था।

[संख्या एन-22012/140/89-आई आर (सी-II)]

राजा लाल, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 9th December, 1993

S.O. 96.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SCC Ltd. and their workmen, which was received by the Central Government on 8-12-93.

[No. L-22012/140/89-IR(CII)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT HYDERABAD

PRESENT :

Sri Y. Venkatachalam, M.A., B.L., Industrial Tribunal-I.

Dated, 19th day of November, 1993

Industrial Dispute No. 3 of 1990

BETWEEN

The Workmen of S.C. Co. Ltd., Bellampalli, Adilabad District ..Petitioner

AND

The Management of S.C. Co. Ltd., Bellampalli, Adilabad District (A.P.) ..Respondent

APPEARANCES :

Sarvasri G. Vidyasagar, V. Vishwanatham, N. Vinesh Raj and P. Giri Krishna, Advocates—for the Petitioner-Workman.

Sri K. Srinivasa Murthy and Miss G. Sudha, Advocates—for the Respondent-Management.

AWARD

The Government of India, Ministry of Labour, by its Order No. L-22012/140/89-IR (C-II) dated 9-1-1990 referred the following dispute under Section 10(1)(d) and (2-A) of the Industrial Disputes Act, 1947 between the employers in relation to the management of Singareni Collieries Company Limited, Bellampalli and their workmen to this Tribunal for adjudication :

“Whether the action of the Management of M/s. SCCL, Bellampalli in determining the age of Sri O. Posham, General Mazdoor, as 59 years 11 months and 3 days through the Age Determination Committee is justified ? If not, to what relief the workman concerned is entitled ?”

This reference is registered as Industrial Dispute No. 3 of 1990 and notices were served on both parties.

2. The brief facts of the claim statement filed by the Petitioner read as follows :—

It is respectfully submitted that the concerned workman Sri Ollala Posham was appointed as General Mazdoor, S.S. Plant on 8-4-1960. The workman is

illiterate and he has not produced any certificates at the time of his entry into service. They were no prescribed rules for the Company to take declaration from the workman regarding his age and other particulars. At the time of entry into service the age of the workman was reduced as 30 yrs. 6 months the concerned Clerk has taken the finger prints of the workman in the service but has not enquired regarding age or any certificate in proof of his age at the time of entry into service. The workman was issued with letter dated 13-2-1987 proposing him to retire due to superannuation with effect from 1-12-1988. Aggrieved by the notice of retirement, the workman protested for the same. Thereafter he made an application to management to consider his case for continuing in service by sending him for age assessment as per the Circular dated 1-8-1988 issued by the Company. The workman submitted the documents which were available with him on 9-9-1988. By letter dated 27-10-1988 the workman was directed to appear before age determination committee on 28-10-1988. Accordingly, he appeared before the age determination committee but he was not communicated the age assessed by the Committee. In this regard, it is submitted that the age determination committee did not conduct proceedings properly and workman was not examined. He was only asked to show his face and then asked him to go away. Ultimately the workman was superannuated from service on the grounds that the age of the workman was assessed as on 28-10-1988 as 59 years, 11 months and 3 days, with effect from 1-12-1988. Aggrieved by the action of the Respondent/Management in superannuating the workman from service as illegal and arbitrary, the Union has raised the I.D. before the Conciliation Office, which culminated into the present dispute to this Hon'ble Court. The action of the Management in assessing the age of workman as 59 years, 11 months and 3 days as on 28-10-1988 and retiring the workman with effect from 1-12-1988 is illegal and arbitrary. The age determination committee conducted its proceedings in utter violation of natural justice and contrary to the circulars issued by the Company. From time to time, the age determination committee failed to see that the workman at the entry of service was assessed as 30 years and the same was entered in the records. The Age Determination Committee has assessed the age as 59 years, 11 months and 3 days are without any basis or medical test. There is no proceedings for assessing the age as precisely with days and months. On this ground alone the assessment of the age determination committee is ex-facie arbitrary. The Respondent failed to see that there is a difference of more than 2 years between the age assessed by the Committee and the date of birth record. As per circulars issued by the Company when there is glaring disparity with regard to age recorded by the Committee and the apparent age of the workman in those case the Respondent ought to have referred to Apex Medical Board, but the same was not done in the present case. The workman was not issued with any show cause notice after the assessment of age by the Age Determination Committee. Thus the workman had no opportunity to establish his case and differ with the findings of age determination committee. The Age Determination Committee has blindly conducted its proceedings and confirmed the age of superannuation as 60 years on 25-11-1988, which was referred to in the notice of termination of employment dated 13-2-1987. Thus the entire action of the age determination committee was only to confirm the age of superannuation as mentioned in management letter dated 13-2-1987. The age determination committee has not applied its mind to nor examined the concerned workman with an open mind. The age determination committee failed to see that there is no reference to his date of birth as 25-11-1928, in any records of the Company. The finding of the age determination Committee are baseless, perverse and arbitrary. By confirming the date of superannuation mentioned in

the letter dated 13-2-1987 without any basis, the very purpose of referring the workman to the age determination committee is defeated. It is therefore, prayed that this Hon'ble Court may be pleased to set aside the proceed age of the Age determination committee in assessing the age of the workman as 59 years, 11 months and 3 days as on 28-10-1988 and declare the same as illegal and arbitrary and consequently direct the management to treat the workman as in service upto 31-12-1990 and grant such other relief or reliefs to the concerned workman as deemed fit and proper.

3. The brief facts of the counter filed by the Respondent read as follows :—

It is respectfully submitted the petitioner is covered by the settlements and the respondent management has followed the procedure given in the settlements which are binding on the petitioner. As such the Petitioner has no right to raised an industrial dispute. It is well settled law when the settlement are binding on the employees, they have no right to raise an Industrial Dispute and such reference is bad in law. It is submitted Sri O. Posham had initially joined as General Mazdoor in 1960. The allegation that there were no prescribed rules for the Company to take declaration from the workman regarding his age and other particulars is not correct. The allegation that the concerned clerk prepared the service card and gave the date of birth is not correct and the petitioner is put to strict proof of the same. It may be noticed the clerical staff also come within the meaning of workman. At the time of joining the personal particulars of the employee, i.e. name, his father's name, age, address and all other particulars were given by the employee himself and which were recorded by the concerned clerk in service book and statutory records. The age declared by the employee was taken by the Company for his service purpose. In the year 1959, Union raised demand to frame the age retirement rules and accordingly age retirement rules were framed. All workmen/employees who are in the rolls had agreed for the said age retirement rules and they are covered by the said settlement. According to the age retirement rules the workmen have to declare their age either by producing school or college certificates. It is also laid down in those rules that where documentary evidence of age or date of birth is not produced at the time of first appointment, the candidates shall be required to produce satisfactory evidence of his date of birth to the Chief Surgeon and Medical Officer, at the time of medical examination who shall assess the age and record it. At the time of medical examination the workmen who are not aware of exact date and month of birth, the particular year will be taken for the purpose of service record and in case of workmen who can declare their date of birth same shall be entered in the record of service by the clerk if he is illiterate and if he is literate he will be writing the same in service record. It may be noticed in the case of illiterate employees, the declared date of birth is recorded by a senior employee and another employee is signing as witness. Such date of birth, thus declared, will be binding on the employee for the purposes of service as well as for retirement. Immediately after 1959 settlement was entered all the employees who were on rolls were called upon once again to ascertain their ages and wherever there is discrepancy that has been rectified. The Unions have listed out the number of workmen whose ages have to be ascertained and it has been acted upon. The petitioner declared his age, as such applying the age retirement rules to the petitioner's case does not arise. After exhausting all the cases of age disputes by virtue of 8th July, 1959 Age Retirement Rules, the Unions once again raised disputes in the year 1965 and a Section 12(3) Settlement was entered on 26-2-1965 between the Management and the Union. If the workman in dispute had any age discrepancy, the workman or petitioner Union could have brought his case to the notice of the management in the year 1965 itself. As there was no dispute

of age so far as the workman in dispute is concerned, his name was not referred by the Union at any point or time. It is submitted that after 1965 settlement once again the Unions started agitation on the alleged ground that they left out some names of the workmen whose age have to be ascertained. Thus, on 17-9-1969 after due discussions with the Union, management issued a Circular in 1983 which is based upon the memorandum of settlement dated 17-6-1969. If any employee contests with regard to his age, he should be sent to the Medical Officer for assessment of his age. It may be noticed this petitioner has not contested about his age either in the year 1959/60, in 1965, in 1969 or in the year 1983. The Management has scrupulously followed all the settlements and it is the Union including the petitioner Union listed the names of workmen who are contesting about their age and their ages have been assessed as per the existing rules prevailing in the relevant periods. Infact all the Unions have agreed in the settlements for the above procedure and several thousands of employees are covered by that procedure mentioned above not only the petitioner Union even other recognised unions followed the same procedure, no dispute was raised by any one during the relevant period and the procedure has become an established workman in dispute was referred to the age management has honoured all the settlements and the allegation that the management has not honoured the settlements is not correct. The reference as made is bad in law. Prior to the retirement the practice in the Company, as stated earlier the determination committee as per the National Coal Wage Agreement since there was a variation in the record. The workman in dispute appeared before the Medical Board and the authorities have assessed his age. The Age Determination Committee as per the Rules has determined his age. The allegation that he was asked only by the Age Determination Committee to show his face and to sign is not correct. According to the Rules the Doctor of the Committee who has examined in the morning and the Doctor who has examined the workman in dispute was also one of the Committee Members who gave his findings and other members also looked into the matter and thus the assessment was made and thus only the workman was asked to sign. There are no merits in the petitioner's case. As such the petitioner is not entitled to claim reinstatement or back wages as prayed for. This Hon'ble Tribunal may be pleased to dismiss the claim petition and confirm the action taken by the management and pass necessary orders in the circumstances of the case.

4. The point for adjudication is whether the action of the Management in determining the age of Sri O. Posham, General Mazdoor as 59 years 11 months and 3 days through the Age Determination Committee is justified or not ?

5. WW-1 and WW-2 were examined on behalf of the Petitioner Workman and marked Exs. W-1 to W-5. On the other hand MW-1 was examined on behalf of the Management and marked Exs. M-1 to M-10.

6. WW-1 is O. Posham. He deposed that he is the concerned workman in this I. D. and he is the member of A. P. Colliery Mazdoor Sangh, the workers' Union. He joined in the service of the Respondent as General Mazdoor in April, 1960. His age was 30 years by the date he joined the service in the Respondent company. 6 months after he joined the service, the management called him and obtained his finger prints and at that time they asked him age and that he told them that his age was 30 years by that time and the same was noted by the Management. The Management sent a notice to him one year prior to the date of his retirement, informing that he will be retired one year thereafter giving the date of retirement therein and he does not remember that date. He submitted a representation to the management and the management gave Ex. W-1 reply dated 5-9-1988 to his representation. The Management asked him in Ex. W-1 to submit bonus card, Aubene Card Photo Identity card and any school certificate. He has submitted the bonus card and identity card to the Management as required by the Management in Ex. W-1 under Ex. W-2 letter

Thereafter the Management issued a letter dated 27-10-1988 advising him to report to the Superintendent, Area Hospital, and the said letter is Ex. W-3. He appeared before the Medical Officer of the Area Hospital, and the Medical Officer asked him to come to the Agent's office of the Respondent at 5.00 P.M. on that day. There the Medical Officer, the Agent and another officer were sitting there and the Medical Officer asked him his name and he told him that his name is Ollala Posham and thereafter those three persons talked among themselves in English and asked him to go away. The Medical Officer or any persons sitting there did not examine him. Thereafter he worked for 5 or 6 days in the Respondent and then he was asked not to attend the duty. The management did not give him any order, retiring from the service. He reported the matter to the Worker's Union and it took up his cause and moved the conciliation officer. He prays the Court to pass an award setting aside the proceedings of age determination committee in assessing his age as 59 years 11 months and 3 days as on 28-10-1988 and declare the same as illegal and arbitrary and consequently to direct the management to treat him as in service upto 31-12-1990 and pay his the salary till 31-12-1990 and all other consequential benefits.

7. WW-2 is S. Nagiah Reddy. He deposed that he is the President of the A.P. Colliery Mazdoor Sangh (JNTUC), i.e. the Petitioner-Union. Ollala Posham General Mazdoor in S.S. Plant Shantikhani is a member of their Union. The said Posham was appointed as General Mazdoor on 8-4-1960 and he has been working as general mazdoor in the Respondent ever since then. At the time of his appointment as General Mazdoor, the age of Posham was 30 years. By the date of appointment of Posham (WW-1) as General Mazdoor in 1960, The Age Retirement Rules of 1960 came into force. The age retirement rules were introduced by the Respondent in the year 1960 for the first time and they were implemented from the year 1965. After 1965 the Management of the Respondent began to retire the workmen who have completed 60 years of age. WW-1 was retired from the service by the management on the basis of the original age as entered in the records of the Respondent at the time of the appointment of WW-1 without intimating him his age as assessed by the Age Determination Committee and so WW-1 made a representation to their Union.

8. MW-1 is C. Gopala Rao. He deposed that he knows the facts of this case. Under the National Coal Wage Agreement there is a procedure for Age determination. He knows the facts of Sri Ollala Posham. Sri Posham was appointed on 8-4-1960 and retired on 30-11-1988. Ex. M-1 is the service book of the Employee. Along with them he gave also his age. The service record was prepared on 25-11-1960. At the time of preparing the service record, the thumb impression of five fingers were taken. The father's name as well as his age was also given by the employee. The Management calculated the superannuation age basing upon the age recorded in the service record Ex. M-1. Ex. M-2 is the worker's identity card. For the purpose of service and to calculate the superannuation, age, the identity card and bonus card and other record is not taken into account except the age recorded in Ex. M-1. First time O. Posham disputed his age on 10-8-1988 after about 18 years. Ex. M-3 is letter dated 29-10-1988 from General Manager to Colliery Manager giving his particulars assessment and age assessment given. According to 'B' Register his date of birth was given as '8th April, 1960'. But in the service record was prepared on 25-11-1960 to give the benefit of the employee 25-11-1960 was taken. The workman in dispute has not taken terminal benefits because of the above I. D. is pending. The workman has not given how many years of age he wants to serve the company nor he has given his date of birth. No certificate from the Registrar of Births and Deaths has filed authenticated proof. The workmen in dispute is not entitled to continue in service.

9. In this dispute the contention of the Petitioner-Union that Sri Ollala Posham, General Mazdoor was appointed on 8-4-1960. At the time of entry into service the age of the workman was recorded as 30 years. After six months the concerned Clerk has taken the finger prints of the workman in the service but has not enquired regarding age or any certificate in proof of his age at the time of entry into service. Further contended that the workman was issued with letter dated 13-2-1987 proposing him to retire due to superannuation w.e.f. 1-12-1988. Subsequently he made an

application to Management to consider his case for continuing in service by sending him for age assessment as per the Circular dated 1-8-1988 issued by the Company. The workman submitted the documents which were available with him on 9-9-1988. Later the workman was directed to appear before age determination committee on 28-10-1988. He appeared before the Age Determination Committee but he was not communicated the age assessed by the Committee. It is submitted that the age determination committee did not conduct proceedings properly and workman was not examined. He was only asked to show his face and then asked him to go away. Finally the age of the workman was assessed as on 28-10-1988 as 59 years, 11 months and 3 days with effect from 1-12-1988.

10. The contention of the Respondent on the other hand concerned at the time of joining the personal particulars of the employee, i.e. name, his father's name, age, address and all other particulars were given by the employee himself and which were recorded by the concerned clerk in service book and statutory records. It is not for the clerk to write any age as he likes and an officer is verifying the material facts recorded by the Clerk and counter-signing them. The age declared by the employee was taken by the Company for his service purpose. As per age retirement rules the workman have to declare their age either by producing school or college certificates.

11. The Respondent management issued Ex. M-3 to the workman in question informing him that the age of Sri Ollala Posham, General Mazdoor SKCSP has been assessed but the Age Determination Committee as 59 years, 11 months and 3 days as on 28-10-1988. He should retire on 1-12-1988. Ex. M-4 dated 28-10-1988 is the Age assessment form wherein it is mentioned that accordingly after verifying all the records and after medical examination the Committee reviewed and assessed the age on 28-10-1988 of Sri Ollala Posham as 59 years, 11 months and 3 days as on 28-10-1988. The argument of the Petitioner-Union that the Respondent-Management issued a letter dated 27-10-1988 advising the petitioner workman to report to the Superintendent, Area Hospital, and that the petitioner appeared before the Medical Officer of the Area Hospital, and the Medical Officer asked the workman to come to the Agent's office at 5.00 p.m. on that day. There the Medical Officer, the Agent and another officer were sitting there and the Medical Officer asked the workman his name and he told him that his name is Ollala Posham and thereafter those three persons talked among themselves in English and asked the workman to go away. It is further evidenced that the Medical Officer or any persons sitting there did not examine the workman. The Management did not give the workman any order, retiring from the service. So from the above evidence of WW-1 and the claim statement filed by the Petitioner-Union, it is clear that the Petitioner-workman was not communicated the age assessed by the Committee, that the age determination committee did not conduct proceedings properly and workman was not examined. This goes to show that the Respondent Management wanted to get rid of this petitioner-workman without following the norms and procedures. It is pertinent to note how and on what basis the Age Determination Committee has assessed the age of the Petitioner-workman as 59 years, 11 months and 3 days, as on 28-10-1988. I am unable to understand how precisely and accurately they have assessed the above age as 59 years 11 months and 3 days. A perusal of Ex. M-2 is the Identity Card of the Petitioner-workman. The age is shown as 30 years as on 8-4-1960, and the date of appointment was also shown as 8-4-1960. If we take 8-4-1960 as base, the petitioner would complete 60 years of age on 7-4-1990 but not 28-10-1988. It is argued that continuing the date of superannuation mentioned in the letter dated 13-2-1987 without any basis, the very purpose of referring the workman to the age determination committee is defeated. Thus I find the entire action of the age determination committee was only to confirm the age of superannuation as mentioned in Management letter dated 13-2-1987. Moreover the Age Determination Committee failed to see that there is no reference to workman's date of birth as 25-11-1928 in any records of the company. There is glaring disparity with regard to age recorded by the Committee and the apparent age of the workman but the Management did not refer such case to the Apex Medical Board. Hence I find that the proceedings of the Age Determination Committee in assessing the age of the workman as 59 years, 11 months and 3 days as on 28-10-1988 is set aside and the Management should treat the workman as in service upto 31-12-1990.

12. In the result, the action of the Management of M/s. Singareni Collieries Company Limited, Bellampalli in determining the age of Sri O. Posham, General Mazdoor as 59 years, 11 months and 3 days through the Age Determination Committee is unjustified. The Respondent-Management should treat the workman as in service upto 31-12-1990 and pay all the arrears due to the workmen.

Award passed accordingly.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 19th day of November, 1993.

V. VENKATACHALAM, Industrial Tribunal-I

Appendix of Evidence

Witnesses Examined on behalf of the Petitioner-Workmen

WW-1—O. Posham.

WW-2—S. Nagaiah Reddy.

Witnesses Examined on behalf of the Respondent-Management :

MW-1—C. Gopala Rao.

Documents marked for the Petitioner-Workman

Ex. W-1/5-9-88—Letter issued by the Colliery Manager, Shanti Khani, S.C. Co. Ltd., to O. Posham.

Ex. W-2/9-9-88—Copy of the letter submitted by O. Posham, General Mazdoor to the Colliery Manager, Shanti Khani.

Ex. W-3/27-10-88—Letter issued by the Manager, Shanti Khani, S.C. Co. Ltd. to Sri O. Posham, General Mazdoor.

Ex. W-4—True Copy of the Age Retirement Rules.

Ex. W-5/29-10-88—Copy of the Representation submitted by the Vice-President, A.P.C.M. Sangh to the A.L.C. (C). Mancherial with regard to termination notice of Sri O. Posham.

Documents marked for the Respondent-Management

Ex. M-1/25-11-60—Identity and Service Card of Ollala Posham, General Mazdoor.

Ex. M-2/11-11-77—Identity Card of Ollala Posham.

Ex. M-3/29-10-88—Letter from General Manager to Colliery Manager giving the particulars of Age assessment of WW-1.

Ex. M-4—Age Determination Committee assessment.

Ex. M-5—"B" Register Xerox copy extract.

Ex. M-6—Settlement and Circulars with regard to Age Determination respectively.

Ex. M-7—Settlement and Circulars with regard to Age Determination respectively.

Ex. M-8—Settlement and Circulars with regard to Age Determination respectively.

Ex. M-9/5-2-81—Xerox copies of N.C.W.A.-II, I No. 37.

Ex. M-10/25-4-81—Xerox copies of N.C.W.A.-II, I No. 76.

नई दिल्ली, 9 दिसम्बर, 1993

का.प्र. 97.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 11) की धारा 17 के अन्तर्गत में एल. सी. सी. एल. के प्रबंधन के संकेत नियोजन और उनके कार्यकर्ता के बीच, प्रबंधन में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचपर को पेशकश करने के, जो केन्द्रीय सरकार को 8-12-93 को प्राप्त हुआ था।

[संख्या एल-22012/189/88-डी-1 (बी)]

राजा राय, जेम्स अधिकारी

New Delhi, the 9th December, 1993

S.O. 97.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SCCL and their workmen, which was received by the Central Government on 8-12-93.

[No. L-22012/189/88-DIV(B)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT
HYDERABAD

PRESENT :

Sri Y. Venkatachalam, M.A., B.L., Industrial Tribunal-I.

Dated: 20th day of November, 1993

Industrial Dispute No. 35 of 1989

BETWEEN

The Workmen represented by Singareni Coal Mines Karmika Singh (BMS), by Sri P. Raj Reddy, Working President Coal Chemical Complex, Adilabad District—Petitioners.

AND

The Singareni Collieries Co. Ltd., represented by General Manager, Srirampur, Adilabad District—Respondent.

APPEARANCES :

M/s. G. Bikshapadi, G. Vidyasagar, V. Vishwanatham, N. Vinesh Raj and K.V.V. Bhaskar, Advocates for the Petitioners.

M/s. K. Srinivasa Murthy and G. Sudha, Advocates for the Respondent.

AWARD

The Government of India, Ministry of Labour, by its Order No. L-22012(189)/88-DIV(B) dated 27-4-1989 referred the following dispute under Section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 between the employers in relation to the management of Singareni Collieries Company Limited, Srirampur and their workmen to this Tribunal for adjudication :

"Whether the action of the Management of Singareni Collieries Co. Ltd., Srirampur in terminating services of Sri Vaka Prasad, Coal Filler RK 7 Incline w.e.f. 20-9-93, is justified? If not, to what relief the workmen concerned is entitled?"

This reference was registered as Industrial Dispute No. 35 1989 and notices were served on both the parties.

2. The brief facts of the claims statement filed by the Petitioner-Union read as follows: It is submitted that the

Petitioner is a Trade Union and the case of workman Sri Vaka Prasad, Coal Filler, hereinafter called workman was espoused by the Union. The workman was appointed in the year 1978 as Badli workman. He was promoted as Coal Filler in 1981. The workman fell sick during the end of March, 1982 due to jaundice and thereafter the sickness was aggravated. As the ailment was not cured, locally, the Petitioner had to take herbal treatment. Accordingly, the workman after informing the superior officer went on leave for treatment. The treatment continued for considerable time. Finally, the workman reported for duty in the last week of December, 1982. But the Respondent refused to admit the workman for duty on the ground that they are contemplating disciplinary action. The workman was informed that he would be sent the necessary intimation in this regard. Thereafter the workman did not get any intimation. When came to the Colliery in the month of November, 1983 he was informed that the workman was dismissed from service by the Order dt. 16-9-1983. It is submitted that the said dismissal orders are illegal and contrary to law. The workman sought the assistance of the Petitioner Union which intervened in the matter. It is submitted that the order of dismissal dated 16-9-80 is illegal. (1) The workman was not given any charge sheet nor any enquiry was conducted. (2) The workman had no opportunity to defend his case before the Management. (3) From the dismissal it is seen that ex parte enquiry was conducted and the workman had no knowledge of any such enquiry. (4) The enquiry was in gross violation of principles of natural justice and hence is vitiated. (5) The workman was forced to be absent on account of illness. In number of cases of unauthorised absence, the Management again reinstated all the workmen either suo moto or in pursuance of the agreements. In the case of the workman discrimination has been shown. (6) The Respondent has not recorded any report and the workman was not furnished with the alleged ex parte proceedings nor show cause notice was issued to him. In any event the punishment of dismissal is too severe and grossly disproportionate to the gravity of the misconduct alleged against the workman. It is therefore prayed that the Hon'ble Court may be pleased to set aside the orders of dismissal dated 16-9-1983 and pass an award directing the Respondent to reinstate the workman into service with full back wages and other attendant benefits and grant such other reliefs as this Hon'ble Court deems fit and proper under the circumstances of the case.

3. The brief facts of the counter filed by the Respondent-Management read as follows: It is true that Sri Vaka Prasad was initially appointed in the year 1978 as Badli Workman and later, he was promoted as Coal Filler in the year 1981 and the workman was working at Ravindrakhani No. 7 Incline of Srirampur Project Area. Further allegation that the workman fell sick during the end of March 1982 due to jaundice and thereafter the sickness was aggravated, as the ailment was not cured locally, the Petitioner had to take herbal treatment, this was informed to the superior officers and he went on leave for treatment are totally false. The allegation that the treatment continued for considerable time is totally false. It may be noticed that Sri Vaka Prasad remained absent from 14-1982 continuously for more than 10 days without any permission. As such the Respondent Management invoked the Company's Standing Order 16(16) and has issued charge sheet dated 19-1-1983 and sent the same to the workman by Registered Post Acknowledgement Due. But, the said letter was returned unserved with postal endorsement "continuous seven days absent", returned to the sender". In spite of the paper publication, the workman in dispute Sri Vaka Prasad failed to attend the enquiry on the stipulated date. The Enquiry Officer conducted ex parte enquiry and has forwarded his findings to the Respondent. The Respondent gone through the entire

enquiry proceedings, finding of the Enquiry Officer, past record of the workman Sri Vaka Prasad and then dismissed the workman from service w.e.f. 20-9-1983 vide their letter dated 16-9-1983. The workman in dispute has never given any intimation with regard to the change of his address. The allegation that the workman was not given any charge sheet nor any enquiry was conducted is not correct. The allegation that the workman had no opportunity to defend his case before the Management is totally false. The allegation that ex parte enquiry was conducted and the workman had no knowledge of any such enquiry is not correct. It may be noticed that the Petitioner has not chosen to give his change of address. The allegation the enquiry was conducted and the workman had no knowledge of any enquiry is not correct. No discrimination has been shown by the Respondent in the case of the workman Sri Vaka Prasad as alleged. Every possible opportunity was given to the workman, but the workman intentionally has not chosen to avail the opportunity, nor the Petitioner Union shown any interest in making a representation to the Respondent-Management. The allegation that the punishment of dismissal is too severe and grossly disproportionate to the gravity of misconduct alleged against the workman is not correct and the Petitioner is put to strict proof of the same. The allegation that the workman is kept out of employment unreasonably by passing illegal orders of dismissal is totally false. The workman Sri Vaka Prasad is not entitled for reinstatement into service with full back wages and other attendant benefits as prayed. This Hon'ble Tribunal may be pleased to dismiss the claim petition by declaring that the Respondent is justified in issuing the dismissal order dated 16-9-1983.

4. The point for adjudication is whether the action of the Management of Singareni Collieries Company Limited, Srirampur in terminating the services of Sri Vaka Prasad, Coal Filler, RK 7 Incline w.e.f. 20-9-1983 is justified or not?

5. Before going into the merits of the case, this Tribunal passed a preliminary order on 14-8-1993 holding that the ex parte domestic enquiry conducted by the Respondent-Management is not fair and proper.

6. In this dispute the contention of the Petitioner-Union that the workman Sri Vaka Prasad, Coal Filler, fell sick during the end of March 1982 due to jaundice and the sickness was aggravated, the ailment was not cured locally, the Petitioner took to herbal treatment. The further contention of the workman is that he has informed the superior officer before he went on leave for treatment, and that the treatment was continued for a considerable time. After the treatment, the workman reported for duty in the last week of December, 1982 but the Respondent refused to admit the workman for duty on the ground that they are contemplating disciplinary action. The workman was informed that he would be sent the necessary intimation in this regard, and that thereafter the workman did not get any intimation. But to his surprise when the workman came to the Colliery in the month of November 1983 he was informed that the workman was dismissed from service by the order dated 16-9-1983. The Respondent management denied all the allegations mentioned above. Now this Tribunal has to see whether the dismissal is shockingly disproportionate to the gravity of the misconduct committed by the workman.

7. At the very outset it is seen that when the workman reported for duty in the last week of December 1982 and when the Respondent Management refused to admit the workman for duty on the ground that they are contemplating disciplinary action. At that very day the Respondent-Management should have issued charge sheet or informed about the enquiry being conducted. This has not been done by the Respondent Management and further that the workman was not given any opportunity to defend his case before the Management. On that day i.e. when the workman went to report for duty during the last week of December, 1982 the Respondent should have given one more chance to the workman to appear before the enquiry officer. This act on the part of the Respondent-Management was in gross violation of principles of natural justice. It is pertinent to note that

the management has not considered the past conduct of the workman into consideration and that in number of case of unauthorised absence, the Management again reinstated all the workmen either suo moto or in pursuance of the agreements. I find that the Respondent Management has shown discrimination to the workman and that the punishment of dismissal is too harsh and disproportionate to the gravity of the misconduct alleged against the workman. Hence I find that the orders of dismissal dated 16-9-1983 is liable to be set aside.

8. In the result, the action of the Management of Singareni Collieries Company Limited, Srirampur in terminating services of Sri Vaka Prasad, Coal Filter, RK-7 Incline w.e.f. 20-9-1983 is unjustified. The workman is entitled to be reinstated into service with full back wages and all other attendant benefits.

Award passed accordingly.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 20th day of November, 1993.

Y. VENKATACHALAM, Industrial Tribunal

Appendix of Evidence

Witnesses Examined on behalf of the Respondent- Management :	Witnesses Examined on behalf of the Petitioner- Workman :
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M.W.I Adabala Polharaju	NIL
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Documents marked for the Respondent-Management :

- Ex. M1/18/19-1-83--Office copy of the charge sheet issued by the General Manager, R.K. No. 7 Incline to Shri Vaka Prasad.
- Ex. M2--Unservd returned postal cover addressed to the petitioner.
- Ex. M3--Paper cutting of the Charge Sheet published in Telugu News Paper daily "Eenadu" dated 2-3-83.
- Ex. M4--Ex-parte enquiry proceedings.
- Ex. M5/24-6-83--Enquiry Report.
- Ex. M6/24-6-83--Last sheet of the Enquiry Report in Ex. M5 containing the details of enclosures appended to the enquiry report.
- Ex. M7/16-9-83--Copy of the dismissal order issued the Addl. Chief Mining Engineer, R. K. Division No. II to Sri W. Prasad.

नई दिल्ली, 9 दिसम्बर, 1993

का.प्र. 98--औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार परवेनिया कोलियरी प्राफ मैसर्स ई सी एल के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, अस्मिन्सोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-12-93 को प्राप्त हुआ था।

[संख्या एन-22012/6/91-आई प्रार (सी- I)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 9th December, 1993

S.O. 98.--In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Parbelia Colliery of M/s. EC Ltd. and their workmen, which was received by the Central Government on 8th December, 1993.

[No. L-22012/6/91-IR (C-II)]

RAJA LAL, Desk Officer

ANNEXURE

BETWEEN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL.

Reference No. 28/91

PRESENT :

Shri N. K. Saha, Presiding Officer.

PARTIES :

Employers in relation to the Management of Parbelia Colliery of M/s. E. C. Ltd.,

AND

Their Workmen.

APPEARANCES :

For the Employers--Shri B. N. Lala, Advocate.

For the Workmen--Shri C. S. Mukherjee, Advocate.

INDUSTRY : Coal.

STATE : West Bengal.

Dated, the 26th November, 1993

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, has referred the dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/6/91-IR (C. II) dated the 3rd July, 1991.

SCHEDULE

"Whether the action of the management of Parbelia Colliery of M/s. Eastern Coalfields Ltd., P.O. Neturia, District Purulia in denying the regularisation of S/Shri Balram Chatterjee, Rajan Majhi and Matal Majhi all three Pump Operators from 1st April, 1987 is justified? If not, to what relief is the concerned workmen entitled?"

2. The case of the union in brief is that the management of Eastern Coalfields Limited installed two Submersible Pumps in the river bed to feed the water plant of Parbelia Colliery through the Public Health Engineering Department of West Bengal (hereinafter called as PHE). The present three concerned workmen S/Shri Balram Chatterjee, Rajan Majhi and Matal Majhi were the employees of the Agency of the P.H.E. for operating the pumps.

In April, 1987 the said pumps were handed over to the management of Eastern Coalfields Ltd., by the PHE department. Then the management of Parbelia Colliery in April, 1987 engaged the present workmen as Pump Operators. But they were not given the wages and other benefits as enjoyed by other employees of Eastern Coalfields Ltd. Several representations were made by the union for regularisation of the present concerned workmen, but to no effect.

3. Then a dispute was raised by the union. The attempts of conciliation failed. The matter was sent to the Ministry of Labour, Government of India and ultimately the dispute has been referred to this Tribunal for adjudication.

4. The management has filed written objection contending inter-alia that the PHE department of West Bengal proposed to make water supply arrangement at Parbelia Colliery in the year 1983 and the said department made their own arrangement and engaged the persons for the purpose of installation of the aforesaid water supply scheme. The PHE department engaged a private Agency namely G.M.C. Calcutta for installation of the said water pumps under the scheme. The present alleged concerned workmen were engaged by the G.M.C. Calcutta on their arrangement with the PHE department. The concerned alleged workmen in this case were never employed by the Eastern Coalfields Limited and there exists no employer and employee relationship between the concerned workmen and the management of Eastern Coalfields Ltd. The PHE department has not yet handed over the said pumps to the management of Eastern Coalfields Ltd.

In the year 1987 the management of Eastern Coalfields Ltd., engaged another contractor for installation of two additional pumps and that contractor also made arrangement with the concerned persons to run the pumps installed by them. The key of the switch room was all along in the possession of the workers of the contractors. Neither the PHE department nor the other contractor gave possession of the pumps to the management of Eastern Coalfields Ltd. So the question of regularisation or absorption of the present concerned workmen of the contractors does not arise.

5. Sri B. N. Lala, the learned Advocate for the management has urged before me that the concerned workmen of this case are not entitled to get any relief because—

(i) firstly the management of the PHE department has not yet handed over the pumps to the management of Eastern Coalfields Ltd., and

(ii) secondly there exists no employer-employee relationship between the workmen and the management.

6. For the sake of convenience I shall take up both the points jointly for discussion.

7. During the hearing of the case it has transpired that in 1983 the management of Eastern Coalfields Ltd., engaged PHE department to install two submersible pumps in the river bed to feed the water plant of the Parbelia Colliery. The PHE department engaged an Agency named G.M.C. Calcutta for such purpose and the present workmen were also engaged by them for operating the pumps. In due course two submersible pumps were installed by the said Agency. The said Agency also set up a new pipe line and a switch room for such installation constructed by the Agency. The present workmen continued to work as Pump Operators.

In 1987 the management of Eastern Coalfields Limited engaged another contractor for installation of two additional submersible pumps. The new contractor installed two submersible pumps and connected the pipe line of the said two pumps with the pipe line already set up by the PHE for two earlier pumps and the switch of the two additional pumps were fixed in the switch room already constructed by the PHE for the earlier pumps. The above facts have been admitted by Sri Debabrata Chatterjee MW-2. This MW-2 has admitted that the men of the PHE department have been running those two pumps set up by the PHE till now (he has been examined as MW-2 on 9-11-93). He has stated that there was trouble in the year 1991 and three additional hands were given for running those two pumps along with the men of the PHE department according to an agreement with the CITU Union. But trouble continued over the custody of the key. He has stated that since 1992 the key of the switch room has been in the custody of the management of Eastern Coalfields Ltd. He has further admitted that though the key has been in the custody of the management of Eastern Coalfields Ltd., since 1992, the PHE men and the men of the Eastern Coalfields Ltd., have been working jointly there.

Sri Balaram Chatterjee WW-2 is one of the concerned workmen of this case. He has stated that the present workmen got their wages from PHE department so long they worked under the PHE department. But the Eastern Coalfields Ltd., has not paid any wages till now though they have been working under the Eastern Coalfields Ltd., from 1987. He has stated that the Engineer of the Parbelia Colliery has been supervising their work since take over of the installed pumps by the Eastern Coalfields Ltd. He has further stated that their attendance was recorded by the Eastern Coalfields Ltd., in 'E' Form register. The union has submitted a Joint Inspection Report of the attendance of the concerned workmen of this case and those have been marked as Exts. W-3 & W-3/1. WW-2 has stated that he submitted applications time to time to the Manager, Parbelia Colliery for repair of the pumps. The copies of the said applications have been marked as Exts. W-4, W-4/1 & W-4/2. The present workmen also requisitioned lamp whenever required. The requisition and issue slip of such lamp has been marked as Ext. W-5 which is signed by the Engineer Sri D. Chatterjee on behalf of the management. It has been claimed by this witness that there is a maintenance register of the said river pump house and the entries of the said register were signed by the Engineer of the Colliery Sri D. Chatterjee.

2931 GI/93—6.

Electrician Sri Ranjan Pal, Engineer Sri Sadhan Majhi. This register has been marked as Ext. W-6. It appears that separate lamp was issued in favour of the pump house duly signed by the Engineer of the management Sri D. Chatterjee and the same has been marked as Ext. W-7.

Sri Uday Bhusan Mondal the Executive Engineer of the PHE department West Bengal of Purulia Division has been examined as WW-1 in this case. He has stated that after completion of the installation the management of PHE department approached the management of Eastern Coalfields Ltd., to take charge of the water supply arrangement. But the Eastern Coalfields Limited management did not take the charge. So the PHE had to run the water supply till March, 1987. In April, 1987 the management of Eastern Coalfields Ltd., assumed the charge of the water supply arrangement.

Sri B. N. Lala, the learned Advocate for the management has urged before me that from the recitals of Exts. M-1 to M-7 this Tribunal will find that the management of Eastern Coalfields Ltd., has not taken the charge of the said pump house. He has urged before me that in such context it must be held that the present workmen are still workers under the contractors and the question of their absorption and regularisation does not and cannot arise. In support of his contention he has cited before me the cases reported in 1992 L.I.C. page 1630, 1992 L.I.C. page 2582 and 1992 L.I.C. p. 75. By placing those cases Sri Lala with his usual fairness has urged before me that in a case like the present one at best the Tribunal can direct the management of Eastern Coalfields Ltd., to absorb the present workmen against future vacancy. With due respect to the contention of Mr Lala the learned Advocate for the management I like to say that every case comes with some peculiarity of its own. The facts of the present case do not tally with the facts of the cited cases. In the instant case the union does not claim for absorption of the present workmen as the workers under contractors. It is the claim of the union for regularisation of the present concerned workmen as they have been working under the management of Eastern Coalfields Limited since 1st April, 1987.

It is admitted that the present workmen have been operating the pumps of the said installation as Pump Operator till now. The management of Eastern Coalfields Ltd., never stopped them from work. In addition to that, we find that in 1991 there was a meeting of the management of Eastern Coalfields Ltd., with the CITU Union of the Colliery and in that meeting the management agreed to depute three additional hands to work with the present concerned workmen for operating those pumps and in fact the present workmen have been working as Pump Operators along with the men of Eastern Coalfields Limited till now.

8. Considering the entire oral and documentary evidence on record and the facts and circumstances of the present case, I find that though the management of Eastern Coalfields Limited has not taken the charge of the said installation of the pumps from PHE department in writing, but in fact the management of Eastern Coalfields Limited has taken physical possession of the pumps set by the PHE department along with the present three concerned workmen who have been working there till now.

From the evidence on record there cannot be any hesitation to hold that the management of Eastern Coalfields Limited has been exercising its control and supervision over the said two pumps along with the present workmen since April, 1987. Considering that aspect I find that the management of Eastern Coalfields Ltd., has taken/assumed the charge of the submersible pumps installed by the PHE department with all its liabilities. I also find that the management of Eastern Coalfields Ltd., has been exercising its control and supervision over the said two pumps along with the three concerned workmen since April, 1987 till now and enjoying the benefits of the said pumps along with the work done by the present workmen. In such circumstances it must be held that the present three workmen have been working under the management of Eastern Coalfields Limited since April, 1987 and there is every relationship of employer-employee between the present workmen and the management of Eastern Coalfields Limited though the management of Eastern Coalfields Limited has not appointed them by issuing any appointment letter.

Ex. M2—Photostat copy of the office order dt. 17-8-1989 issued to M. Muralikrishna and 19 others by the General Manager (Personnal), SC, Co. Ltd., Kothamudem Collieries.

मई बिल्ली, 15 दिसम्बर, 1993

का.सं. 100.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार विशाखापटनम पोर्ट ट्रस्ट के प्रबंधक के संयुक्त नियोजकों और उनके कर्मचारियों के बीच मतभेद में निम्न औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण हैदराबाद के पंचाट का प्रकाशन करती है, जो केन्द्रीय सरकार को 14-12-1993 को प्राप्त हुआ था।

[संख्या एन-34012/7/87-डिबी (ए)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 15th December, 1993

S.O. 100.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Visakhapatnam Port Trust and their workmen, which was received by the Central Government on 14-12-1993.

[No. L-34012/7/87-D.IV (A)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT HYDERABAD

PRESENT :

Sri Y. Venkatachalam, M.A., B.L., Industrial Tribunal-I.

Dated, 26th of November, 1993

Industrial Dispute No. 25 of 1988

BETWEEN

Visakhapatnam Port Employees Union, represented by its General Secretary, Dharmasakti Bhavan, Visakhapatnam-530001.

AND

The Chairman, Visakhapatnam Port Trust, Visakhapatnam. Respondent.

APPEARANCES :

M/s. M. Panduranga Rao and B. G. Ravinder Reddy, Advocates—for the Petitioner.

M/s. K. Srinivasa Murthy and G. Sudha and A. Visalakshmi, Advocates—for the Respondent

AWARD

The Government of India, Ministry of Labour, by its Order No. L-34012/7 87-D.IV (A) dated 15-2-1988 referred the following dispute under Section 10(1)(d) (2-A) of the Industrial Disputes Act, 1947 between the Management of Visakhapatnam Port Trust and their Workmen to this Tribunal for adjudication :

"Whether the action of the management of Visakhapatnam Port Trust in promoting Sri K. Ganeswara Rao to the post of Fitter Gr. II without holding a Trade Test, with effect from 1-4-1977 earlier than his seniors S/Sri J.S.N. Raju, V. Sambasiva Rao and N. Simbachalam is justified? If not, to what relief the said workmen are entitled to?"

This reference was registered as Industrial Dispute No. 25 of 1988 and notice were served on both the parties.

2. The brief facts of the claim statement filed by the Petitioner-Union read as follows :

The employees of the Ore Handling Complex are governed by Visakhapatnam Port Recruitment, Seniority and Promotion Regulations 1964. It is submitted that there is a cadre of Fitter Grade II in the Ore

Handling Complex and the seniority of the employees is as follows :

1. Sri J. S. N. Raju,
2. Sri V. Sambasiva Rao,
3. Sri N. Simbachalam,
4. Sri V. Kamudu,
5. Sri Nammi Apparao,
6. Sri Suryanarayana, and
7. K. Ganeswara Rao.

It is submitted that the employees from S. Nos. 1 to 3 while working as Fitter Gr. III were called for Trade Test for the post of Fitter Gr. II in the month of February, 1977. But they were failed by the Trade Testing Officer. The Junior employee Sri K. Ganeswara Rao was not trade tested in the post of Fitter Grade II and without conducting any Trade Test, he was promoted on adhoc basis to the post of Fitter Grade II with effect from 1-4-1977. Subsequently, he was trade tested and passed on 15-10-1977. The senior employees were trade tested on 31-8-1977 and passed the Trade test for the post of Fitter Grade II. The services of both the senior and junior employees were regularised with effect from 4-1-1978. The seniority was protected to the senior employees in the cadre of Fitter Grade II but the junior employee Sri Ganeswara Rao was drawing increment in the month of April of every year. The senior employees were drawing increments in the month of August every year. Since the senior employees have been drawing increments at a later date than the junior employee Sri Ganeswara Rao, the senior employees requested to advance their date of increment on par with their junior. It is submitted that the management violated the rules and the procedure in giving promotion to the junior employee. When the senior employees failed in the trade test in February, 1977 the management promoted the junior employee from 1-4-1987 on adhoc basis without conducting any trade test. The promotion given to Sri Ganeswara Rao on adhoc basis without any kind of trade test is irregular and arbitrary. The Respondent adopted different standards and methods to seniors and juniors only with a view to deprive the chances of getting promotion of the seniors. It is submitted that as on 31-8-1977 both the senior employees and Sri Ganeswara Rao passed the Trade Test and are eligible for promotion to the post of Fitter Grade II on regular basis. The services of all the employees were regularised with effect from 4-1-1978 and that though the seniority was protested to the senior employees in the cadre of Fitter Grade II, no pay benefit was given on par with their junior. It is submitted that the Respondent should have promoted the senior employees on adhoc basis in preference to their junior Sri Ganeswara Rao and the senior employees should have been given increment on par with Sri Ganeswara Rao since 1978. The promotion given to Sri Ganeswara Rao is illegal and arbitrary and is putting the seniors to allot of heart burning and injustice. It is, therefore, prayed that this Hon'ble Tribunal may be pleased to pass an Award declaring that the three senior employees are entitled to be promoted as Fitter Grade II on adhoc basis in preference to their Sri Ganeswara Rao and the seniors should be given increments on par with their junior Sri Ganeswara Rao from 1978.

3. The brief facts of the counter filed by the Respondent-Management read as follows :

It is submitted that Fitter Grade II in the Ore Handling Complex in the Mechanical Department is skilled post and is filled by promotion from Fitter Grade III on the basis of seniority subject to passing of Trade Test by the employees. It is submitted that the senior employees Sri J. S. N. Raju, V. Sambasiva Rao and N. Simbachalam were Trade Tested by the Management in February 1987 with a view to promote them to the next higher post of Fitter

Grade-II. The seniors had failed in the Trade Test and their performance in the Trade Test was so poor that they lacked minimum required efficiency for being considered for promotion to the next higher post. As per the extent rules of the Port, an employee who fails in the Trade Test should again be trade tested after completion of 6 months service. The intention behind this is that the employees will acquire job efficiency during 6 months period. In the Operational Departments it is an usual practice to consider adhoc appointment next to the juniors, in case the seniors failed in the Trade Test and to Trade Test them subsequently as Trade Test cannot be conducted then and there. There is a schedule programme in holding trade tests to different categories which will be followed. Normally, holding of Trade Test will take to 2 to 3 months time as Trade Tests have to be conducted for 100 categories in Mechanical Department itself. When the senior employees are unfit to perform the job, the appointing authority may fill such vacancy by making adhoc arrangement in terms of Regulation No. 17 of VPE (R&SP) Regulations 1964. There was a practice going on since beginning in Mechanical Department to promote next candidate in the line of promotion pending holding of Trade Test due to exigencies of work. In the instant case the Junior Sri K. Ganeswar Rao passed Trade Test on 15-7-1977 but not on 15-10-1977 as alleged in the claim statement. Sri K. Ganeswar Rao was promoted as Fitter Grade II on adhoc basis with effect from 1-4-1977 pending passing of Trade Test due to exigencies of work. The senior employees S/Sri J. S. N. Raju, V. Sambasiva Rao and N. Simhachalam passed the Trade Test on 31-8-1977, whereas their Junior passed the Trade Test on 15-7-1977. The vacancies of Fitter Grade-II arose on different dates and on the date of passing of the Trade Test of the three senior employees there were no vacancies available. After all the employees were promoted, action was taken to regularise the services of all the Fitter Grade II including the seniors S/Sri V. Kamudu, Nammi Apparao, S. Suryanayana referred to in para 2 of the claim statement w.e.f. 4-1-1978. The seniors to Sri K. Ganapati Rao referred in claim statement were given their original seniority and were placed above Sri K. G. Rao. However, fixation of pay and drawal of increment is a different matter which is governed by relevant rules and by virtue of his earlier adhoc appointment Sri K. G. Rao is drawing increment earlier, that is in April, whereas his seniors are drawing increment in the month of August. It is submitted that since the junior Sri K. Ganeswar Rao was promoted as Fitter Grade II on adhoc basis with effect from 1-4-1977 he has no claim for seniority over his seniors who were subsequently promoted. However, the fixation of pay and drawal of increment is not based on the seniority but on the length of the service in the post, be it adhoc or regular. It is submitted that the seniors who were not promoted because of their failure in the Trade Test and consequential disqualification of promotion, cannot be given promotion in preference to their junior and also increments on par with their junior from 1978. No injustice was meted out to the seniors as they did not pass the T.T. earlier than Sri K. Ganeswar Rao. It is prayed that the Hon'ble Tribunal may be pleased to reject the claim as it has no merits.

4. The brief facts of the counter filed by the Respondent-employee read as follows :—

The senior employees in question were trade tested by the Visakhapatnam Port Trust Management in the month of February 1977 with a view to promote them to the next higher post of Fitter Grade II. The seniors failed in the Trade Test and hence they were unqualified for promotion. In the meanwhile it is usual practice in operational departments to make adhoc appointments next to the juniors in case the seniors failed the Trade Test. On this analogy the respondent employee was given pro-

motion to the post of Fitter Grade II on adhoc basis to fulfil the Operational requirements. The very criterion for promotion to the post of Fitter Gr. II from the post of Fitter Gr. III, is date of passing of trade test. As such, the junior employee qualified for promotion to the post of Fitter Gr. II earlier than the senior employees in question because of the fact that he passed trade test earlier than senior employees i.e. on 15-7-1977 vide O.O. No. E/O/14235, dated 22-8-1977. As the Respondent employee was promoted to the post of Fitter Grade II earlier than his seniors, on adhoc basis w.e.f. 1-4-1977 the fixation of pay and drawal increments is not based on the seniority but on the length of service in the post, as per the relevant rules. Adhoc service counts for increment as per the fundamental rules. Lastly it is prayed that the Hon'ble Tribunal may be pleased to reject the claim as it has no merits and uphold this Respondent employees' claim for regularisation of his services in the post of Fitter Gr. II w.e.f. 15-7-1977 i.e. from the date of passing Trade Test and his placement in the seniority list over the three employees in question who passed Trade Test later than this Respondent employee.

5. The point for adjudication is whether the action of this Respondent in promoting K. Ganeswar Rao to the post of Fitter Gr. II without holding a Trade Test, w.e.f. 1-4-1977 earlier than his seniors is justified or not ?

6. MW-1 was examined on behalf of the Respondent and marked Ex. M-1. No oral or documentary evidence has been adduced on behalf of the Petitioner.

7. MW-1 is G. Suryanarayana. He deposed that he knows the facts of this case. The promotions for Fitters is from Grade III to Grade II. The promotions are given basing on seniority subject to trade test. In the trade test it is not passed though the employee is senior, is not eligible for the Grade II Fitter Post. Whenever there is a vacancy in the trade test seniors failed, adhoc appointment will be given and once again the trade test be conducted. Between two trade tests, two to three months time is given. Sri J. S. N. Raju, V. Sambasiva Rao, N. Simhachalam sat for trade test on 19-2-1977 and failed the examinations. K. Ganeswar Rao S. N. 10 also attended the Trade Test. He is junior to J. S. N. Raju and others K. Ganeswar Rao passed the examination on 15-7-1977. Sri J. S. N. Raju, V. Sambasiva Rao and N. Simhachalam passed the examination on 31-8-1977. As the workmen in dispute failed in first examination and passed subsequent to K. Ganeswar Rao, Ganeswar Rao was given first post as Fitter Grade II. Subsequently the workmen in dispute were given. The employments are not given just because an employee is senior the parity arose because Ganeswar Rao first passed the examination so his fitment has been done earlier than his seniors as the seniors failed to pass the trade test is eligible to Fitter post in Cat. II. Under Ex. M-16 Accounts Department pointed out that there is no anomaly in fitment at all. The workman in question are not entitled any emoluments.

8. In this case the contention of the Petitioner Union that a junior employee Sri K. Ganeswar Rao was not trade tested in the post of Fitter Grade II and he was promoted on adhoc basis to the post of Fitter Grade II with effect from 1-4-1977. But subsequently K. Ganeswar Rao passed the Trade Test on 15-7-1977. The Senior employees were trade tested on 31-8-1977 and passed the Trade Test for the post of Fitter Grade II. The services of both the senior and junior employees were regularised with effect from 1-4-1978. Further contended that seniority was protected to the senior employees in the cadre of Fitter Grade II. But the dispute lie that the junior employee Sri Ganeswar Rao was drawing increment in the month of April of every year whereas the senior employees were drawing increments in the month of August every year. The contention of the Respondent-management is that Sri K. Ganeswar Rao was promoted as Fitter Grade II on adhoc basis with effect from 1-4-1977 pending passing of Trade Test due to exigencies of work. After perusing the claims statement and counter there is some force in the contention of the Petitioner Union that there was a practice going on since beginning in Mechanical Department to promote next candidates in the line of promotion pending holding of Trade Test due to exigencies of work. It is surprising to see that K. Ganeswar Rao was promoted on 1-4-1977 without passing the Trade Test on

ad hoc basis and of course subsequently Ganeshwar passed the Trade Test. So also the same case should have considered for the other senior employees though they have not passed the Trade Test they should have been promoted on ad hoc basis and later conducted the Trade Test. Any how all have passed the Trade Test, subsequently. The Respondent Management should have promoted the senior employees first and then given a chance to juniors. Nothing is shown about the skill and efficiency of Sri Ganeshwar while promoting him on 1-4-1977 and there is no document to show that Sri Ganeshwar is highly skilled and efficient in his trade. The Respondent Management failed to promote the senior employees on ad hoc basis even though they have not passed the Trade Test as was done to Sri Ganeshwar Rao. It is unfair on the part of the Respondent Management that a junior is drawing increment much earlier than the senior employees. So I am of the clear opinion that the date of increment of the senior employees should be on par with their junior employee i.e. Ganeshwar Rao i.e. from April every year. Hence I find that the three senior employees are entitled to be promoted as Fitter Grade II on ad hoc basis in preference to their junior Sri Ganeshwar Rao and the said three seniors should be given increments on par with their junior Sri Ganeshwar Rao from 1978.

9. In the result, the action of the Management of Visakhapatnam Port Trust in promoting Sri K. Ganeshwar Rao to be post of Fitter Grade-II, Grade II, without holding Trade Test with effect from 1-4-1977 earlier than his seniors Sarvasri J. S. N. Raju, V. Sambasiva Rao and N. Simbachalam is not justified. The said three senior employees are entitled to be promoted as Fitter Grade II on ad hoc basis and the seniors should be given increments and consequential economic benefits on par with their junior Sri Ganeshwar Rao from 1978.

Award passed accordingly.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 26th day of November, 1993.

Y. VENKATACHALAM, Industrial Tribunal

Appendix of Evidence

Witnesses Examined
for Workmen :

NIL

Witnesses Examined
for Management :

MW-1—G. Suryanarayana.

Documents marked for the Workmen

NIL

Documents marked for the Management

Ex. M-1 to Ex. M-17—Trade Test papers pertaining to Sri J. S. N. Raju, V. Sambasiva Rao and N. Simbachalam along with marks and comparison with others.

नई दिल्ली 15 दिसम्बर 1993

अधिसूचना

का. आ. 101—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम्. सी. आ. टेलेकॉम जगतिवाल के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में विदित औद्योगिक विवाद में औद्योगिक अधिकरण हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-12-93 को प्राप्त हुआ था।

[सं० एन 40012/132/89 आई आर (डी यू) (पी०टी०)]

के. सी. बी. उष्णी ईस्क अधिकारी

New Delhi, the 15th December, 1993

NOTIFICATION

S.O. 101.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the

Central Government hereby publishes the award of the Central Government Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of S.D.O. Telecom Jagtiyal and their workmen, which was received by the Central Government on 19-12-93.

[No. L-40012/132/89-IR(DU) (Pt.)]

K. V. B UNNY, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT HYDERABAD

PRESENT :

Sri Y. Venkatachalam, M.A., B.L., Industrial Tribunal-I.

Dated : 30th day of November, 1993

INDUSTRIAL DISPUTE NO. 45 OF 1990

BETWEEN :

K. Peddanna S/o K. Mallaiah
aged about 24 years, Casual
Mazdoor under the Respondents
herein Kamanpur, Karimnagar Dist. ...
Petitioner.

AND

The Sub Divisional Officer,
Telecom, Jagtiyal-505 327. ... Respondent

APPEARANCES :

M/s. C. Suryanarayana & P. Bhasker, Advocates for the Petitioner.

M/s. M. Panduranga Rao, B. G. Ravinder Reddy, Advocates for the Respondent.

AWARD

The Government of India, Ministry of Labour, by its Order No. L-40012/132/89-IR(DU), dt 25-7-1990 referred the following dispute under Section 10(1)(d) (2A) of the Industrial Disputes Act, 1947 between the Management of M/s. Telecom, Karimnagar and their workmen to this Tribunal for adjudication :

“Whether the action of the Management of M/s. Telecom, Jagtiyal, Dist. Karimnagar (A.P.) represented by their Sub-Divisional Officer in terminating the services of Shri K. Peddanna, Casual Mazdoor w.e.f. 1-4-1987 is justified? If not, to what relief the workman concerned is entitled?”

This reference was registered as Industrial Dispute No. 45 of 1990 and notices were served on both the parties.

2. The brief facts of the claim statement filed by the Petitioner-workman read as follows:—The Petitioner belongs to Madiga caste which is recognised as a S.C. community. His claim in the complaint to PLC(C), Hyderabad that he was employed continuously from 1-7-1986 to 31-3-1987 except for 37 days in between due to cessation of work, has been

admitted by the Respondents in the parawise comments filed by them before the Conciliation Officer on 14-6-1989. Yet the petitioner's service was terminated abruptly w.e.f. 31-3-1987 A.N. on the ground that he was recruited and employed after 30-3-1985. The Respondent did not comply with the mandatory provisions of Sec. 25-F of the I.D. Act before terminating the petitioner's service and thus the termination is retrenchment which is illegal, null and void. The Respondents plea that the petitioner was recruited and employed after 30-3-1985 contrary to the instructions of the former DG, P&T New Delhi has been set at naught by the judgement dt. 4-5-88 in O.A. No. 529/88 of the Principal Bench of the Central Administrative Tribunal, New Delhi in the light of the judgement in DAILY RATED CASUAL LABOUR I P&T v. UNION OF INDIA AND OTHERS (AIR 1987 SC 2342) The judgement of the said Principal Bench was upheld by the Supreme Court in its judgement dt. 17-4-90 in RAMGOPAL AND OTHERS v. UNION OF INDIA & ORS. etc. in W.P.(C) No. 1280 of 1989 (not published) According to this judgement even if a casual labour is recruited and employed after 30-3-1985 he is entitled to absorption and regularisation in the Department, if he has rendered one year service as defined in Sec. 25-B of the I.D. Act. Moreover, in WORKMEN OF AMERICAN EXPRESS INTERNATIONAL BANKING CORPORATION v. MANAGEMENT OF AMERICAN EXPRESS INTERNATIONAL BANKING CORPORATION (AIR 1986 S.C. 458) according to this Sundays (or weekly offs) and other paid holidays (such as the National Holidays on 15th August, 2nd October and 26th January) should be taken into account for the purpose of reckoning the total number of days on which the workmen could be said to have actually worked. The Supreme Court declared that no distinction can be drawn between those recruited and employed after 30-3-1985 and those recruited and employed prior to that date and that the benefits of the decision in the AIR 1987 SC 2342 apply to all the casual mazdoor who have rendered 240 days of service in any year. Thus the Supreme Court conferred a new right on workmen in service for 240 days in a year to be considered for absorption and regularisation in service in reference to others, of course, according to their turn in the seniority list of mazdoors in a Telecom District (which is a recruitment unit) subject to reservation for SC/ST candidates like the petitioner herein. In the case of the Petitioner, the Telecom District is Karimnagar District under the Telecom District Engineering, Karimnagar. The Petitioner submits further that in view of the orders of the Department of Telecom in their Letter No. 269-10/89-STN dt. 7-11-1989 he is entitled to grant of temporary status with all its attendant benefits pending his absorption and regularisation in service against a reserved post according to the communal rosters. The benefit is incidental to one year continuous service in the Department. In view of the foregoing, the Petitioner's termination from service w.e.f. 31-3-1987 A.N. is retrenchment which is illegal, and void for non-compliance with the mandatory provisions of Sec. 25-F of the I.D. Act. He is, therefore, entitled to reinstatement in service with full back wages, protection of seniority and all other benefits inci-

dental and regularisation of service and pending the same, for grant of temporary status. The Petitioner prays that his Hon'ble Tribunal may be pleased to hold accordingly and make the award directing the Petitioner's reinstatement in service with full back wages and protection of seniority among casual mazdoors of Karimnagar Telecom District together with the benefits incidental and consequential to such reinstatement as submitted above plus absorption against the posts reserved for SC candidates.

3. The brief facts of the counter filed by the Respondent read as follows:— It is submitted that the Petitioner was engaged as casual mazdoor depending upon the availability of work. The casual mazdoors are engaged for short spells of work like construction of overhead lines, cable laying and maintenance of lines etc. and their services are liable to be disengaged as soon as the works are over. It is submitted that these workers are of temporary nature and the services of the casual labour cannot be continued when there is no work. The question of casual labour does not arise. It is for the casual mazdoor to come and enquire for work and whenever work is available, they will be engaged. It is submitted that the petitioner worked for 173 days in 1986 and 64 days during 1987. With effect from April 87 there was no work to continue the petitioner and therefore his services were discontinued. It is submitted that the petitioner has not completed 240 days of service as alleged by him. The petitioner raised the present dispute after two years of his disengagement and this fact clearly shows that he had no interest to work as casual mazdoor. Even if any casual labour is disengaged at any point of time, it is only temporary one and it is always open to him to come and enquire as to whether any work is available for him. It is submitted that the judgement cited by the petitioner is not at all applicable to the facts and circumstances of the case. The allegation that the termination is in violation of Sec. 25(F) of the I.D. Act is not correct. It is submitted that the disengagement of casual labour does not mean retrenchment within the meaning of Section 2(00) of the I.D. Act and therefore the question of complying with Section 25-F of the I.D. Act does not arise. It is therefore prayed that the Hon'ble Tribunal may be pleased to pass an Award that the petitioner is not entitled to any relief.

4. The point for adjudication is whether the action of the Respondent in terminating the services of Sri K. Peddanna, Casual Mazdoor w.e.f. 1-4-1987 is justified or not?

5. W.W.1 was examined on behalf of the Petitioner-workman and marked Exs. W1 to W7. M.W1 was examined on behalf of the Respondent and no documents were marked on their side.

6. W.W1 is K. Peddanna. He deposed that he belongs to Madiga caste which is recognised as S.C. Community. Ex.W1 is the order of department of Personal and Administrative Reforms dt. 10-2-1977 provided reservation in work charges establishments. He joined the department in July, 1986. He worked in the Department till 31-3-1987. Ex. W2 is the working days particulars as certified by the Res-

pondent. Ex. W3 is the working days book. He worked in the department for a total of 240 days from 1-7-1986 to 31-3-1987. He worked for total of 28 days in the month of December 1986 but the S.D.O. Tel. at the time of issuing certificates struck down the No. 28 and put 25 days. But he worked for 28 days. He was neither given notice at the time of termination nor was paid the notice period of wages. Subsequent to 31-3-1987, he went to the office of the respondent several times for work. But he was not given any work. The several of his juniors are still continued in the department. Then he has given a complaint to the Regional Labour Commissioner (Central), raising industrial dispute. Ex. W4 is the said complaint dt. 29-5-1989. Ex. W5 is the parawise comments of the respondent dt. 14-6-1989. Ex. W6 is the rejoinder filed by the workman dt. 31-3-1989. Ex. W7 is the report of Labour Commissioner to the Central Labour Ministry. He prays that this Hon'ble Tribunal may be pleased to declare that his termination is illegal and direct the respondent to reinstate him with full back wages and other consequential and attendant benefits.

7. M.W1 is M. Raja Sekhar. He deposed that he is working at this Sub Division from September, 1985. He is deposing on the basis of records. They engage casual mazdoors for casual works such as construction of overhead lines, digging of trenches in laying cables etc. and this casual mazdoors are engaged for a specific period only when there is work. It is not a regular and continuous work. Only when development activities are taken up the works for casual mazdoor arise. There are regular mazdoors for regular work. The casual mazdoors are engaged for the temporary work and they will be disengaged as soon as the work for which he is engaged is completed. Before engagement of casual mazdoors, they informed them their engagement is only for the period till the work is available. The Petitioner was engaged during the period from July, 1986 to March, 1987. During the period, the petitioner did not work continuously due to non-availability of work.

8. The contention of the petitioner-workman in this dispute is that the Petitioner-workman was employed continuously from 1-7-1986 to 31-3-1987 except for 37 days in between due to cessation of work, has been admitted by the Respondent in the parawise comments by them before the Conciliation Officer on 14-6-1989, yet the petitioner's service was terminated abruptly w.e.f. 31-3-1987 A.N. on the ground that he was recruited and employed after 30-3-1985.

9. The contention of the Respondent on the other hand stated that the petitioner was engaged on the clear understanding that the services are liable to be discontinued as and when works are completed. They stated that the petitioner worked for 173 days in 1986 and 64 days during 1987. In April 1987 there was no work to continue the petitioner and his services were discontinued. Such disengagement does not amount to either termination or retrenchment as in the case of casual mazdoor there is no guarantee of work throughout. The petitioner has not completed 240 days of service as alleged by him.

10. At the very outset I would like to state that the petitioner was recruited and employed after

30-3-1985 contrary to the instructions of the former DG, P&T New Delhi has been set at naught by the judgement dt. 4-5-1988 in O.A. No. 529/88 of the Principal Bench of the Central Administrative Tribunal, New Delhi in the light of the judgement in DAILY RATED CASUAL LABOUR IN P&T v. UNION OF INDIA AND OTHERS (AIR 1987 S.C. page 2342). The judgement of the said Principal Bench was upheld by the Supreme Court in its judgement dt. 17-4-1990 in RAMGOPAL AND OTHERS v. UNION OF INDIA AND OTHERS etc. in W.P. (C) No. 1280 of 1989. As per this judgement even if a casual labourer is recruited and employed after 30-3-1985 he is entitled to absorption and regularisation in the Department, if he has rendered one year service as defined in Section 25-B of the I.D. Act. The other contention of the Petitioner-workman that in WORKMEN OF AMERICAN EXPRESS INTERNATIONAL BANKING CORPORATION vs. MANAGEMENT OF AMERICAN EXPRESS INTERNATIONAL BANKING CORPORATION (AIR 1986 S.C. page 458) according to which Sundays and other paid holidays should be taken into account for the purpose of reckoning the total number of days on which the workmen could be said to have actually worked. The further contention of the petitioner workman that the Supreme Court declared that no distinction can be drawn between those recruited and employed after 30-3-1985 and those recruited and employed prior to that date the benefits of the decision in the AIR 1987 S.C. page 2342 apply to all the casual mazdoors who have rendered 240 days of service in any year. Thus the Supreme Court conferred a new right on workmen in service for 240 days in a year to be considered for absorption and regularisation in service in preference to others, of course, according to their turn in the seniority list of mazdoors in a Telecom District. Thus keeping in view the above judgements, this Tribunal has to see whether the petitioner-workman has put in 240 days service. The evidence of W.W1 the concerned workman mentioned in his brief that he worked in the Department for a total of 240 days from 1-7-1986 to 31-3-1987. He worked for total of 28 days in the month of December, 1986 but the S.D.O. Tel. at the time of issuing certificates, struck down the No. 28 and put 25 days. But he worked for 28 days. Ex. W2 is the working days particulars as certified by the Respondent. Ex. W3 is the working days book. As per Ex. W2 the Attendance Statement of the Petitioner-workman. It shows that the petitioner-workman has put in 237 days service under S.D.O. Telecom, Jagtial. It is pertinent to note that the Telecom has not taken into consideration the Sundays and other paid holidays to consideration as per the judgement of AIR 1986 S.C. 458. If the number of Sundays and other paid holidays are taken into consideration, the number of days of service put in by the petitioner-workman would exceed 240 days. Even as per Ex. W3 a small booklet maintained by the Petitioner-workman. From the column the number of days work, the petitioner has put in 240 days of service and this was endorsed by the Sub-Divisional Officer, Telecom, Jagtial. So considering all the facts and circumstances of the case, I am of the clear opinion that the petitioner-workman is entitled to be reinstated into service as per the above judgement cited.

11. In the result, the action of the Management of M/s. Telecom, Jagtial, Dist. Karimnagar (A.P.) repre-

sented by their Sub-Divisional Officer in terminating the services of Sri K. Peddanna, Casual Mazdoor w.e.f. 1-4-1987 is not justified. The Petitioner-workmen is entitled to be reinstated into service with full back wages and all other benefits including absorption and regularisation of service and pending the same, for grant of temporary status.

Award passed accordingly.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 30th day of November, 1993.

Y. VENKATACHALAM, Industrial Tribunal-I

Appendix of Evidence :

Witnesses Examined
for Workmen :

W.W1 K. Peddanna

Witnesses Examined
for Management :

M.W1 M. Rajashekar.

Documents marked for the Petitioner/Workmen :

Ex.W1 Order dt. 10-2-77 with regard reservation of S.C./ST in the Department.

Ex.W2 Working days particulars.

Ex.W3 Working days particulars.

Ex.W4 Complaint to the RLC(C), Hyderabad, with regard to wrongful retrenchment from service.

Ex.W5 Parawise comments by the SDO Telecom, Jagtial.

Ex.W6 Written submission of the workmen to the 31-8-89 parawise comments.

Ex.W7 Failure Report.
31-10-89

Documents marked for the Management :

NIL

नई दिल्ली, 20 दिसम्बर, 1993

का. प्रा. 102—औद्योगिक विवाद अधिनियम, 1947 (1947 का 11) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सार्थ प्रतिस्तर रेलवे मान्यता के प्रबन्धन के संवद्ध नियोजकों और उनके कर्मचारियों के बीच अनुबन्ध से निदृष्ट औद्योगिक विवाद से औद्योगिक अधिकरण गुवाहाटी के पत्रपत्र को प्रकाशित करती है, जो केन्द्रीय सरकार को 16 दिसम्बर 1993 को प्राप्त हुआ था ।

[सं एल-41012/36/92 आई आर (डी यू) (फोर्टे ०)]
के. वी. बी. उण्णी, डेस्क अधिकारी

New Delhi, the 20th December, 1993

S.O. 102.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the

Central Government hereby publishes the award of the Industrial Tribunal, Guwahati as shown in the Annexure, in the industrial dispute between the employers in relation to the management of North Frontier Railway, Maligaon and their workmen, which was received by the Central Government on 16-12-93.

[No. L-41012/36/92-IR(DU)(Pt.)]

K. V. B. UNNY, Desk Officer.

ANNEXURE

IN THE INDUSTRIAL TRIBUNAL GUWAHATI
ASSAM

REFERENCE NO. 8(C) OF 1993

PRESENT :

Shri J. C. Kalita, B.A.(Hons.)LL.B., Presiding
Officer, Industrial Tribunal, Guwahati.

In the matter of an Industrial Dispute

BETWEEN

Management of North Frontier Railway, Maligaon.

AND

Shri Ashok Ghosh, Ex-Substitute Emergency
Pcon.

AWARD

This Reference arising out of the Central Government notification No. L-41012/36/92-IR(DU) dated 21st July, 1993 relates to the dispute indicated in the schedule below—

“Whether the action of the Railway Administration rep. by F.A. & C.A.O., N.F. Railway Maligaon in terminating the services of Shri Ashok Kumar Ghosh, Ex-Substitute emergency pcon, w.e.f. 27-2-89 is justified? If not, what relief he is entitled to?”

On receipt of the notification the reference was registered and notice were issued to the parties to file their written statements.

Both the parties present and files compromise petition stating that they have compromised the case. Seen compromise petition which is marked ‘X’.

Both parties have signed the petition.

The award is given on compromise in terms of compromise petition marked ‘X’. This will form part of the award.

I give this award on this 1st day of December, 1993 at Guwahati.

J. C. KALITA, Presiding Officer.

Marked ‘X’

Sd/- J. C. Kalita,
Presiding Officer,

Industrial Tribunal, Guwahati.

FORM H

(See Rule 58)

FORM FOR MEMORANDUM OF SETTLEMENT
MEMORANDUM OF SETTLEMENT UNDER
SECTION 12(3) OF INDUSTRIAL DISPUTE ACT
SIGNED BEFORE ASSISTANT LABOUR COM-
MISSIONER (CENTRAL) GUWAHATI IN THIS
MATTER OF DISPUTE RAISED UNDER SEC-
TION 2A FOR RE-SETTLEMENT IN SERVICE
AS AGAINST THE FINANCIAL ADVISER AND
CHIEF ACCOUNTS OFFICER, N.F. RAILWAY
MALIGAON, P.O. MALIGAON, GUWAHATI-
781011 DT. 20TH APRIL, 1993.

Name of Parties—Representing employee(s).—

(1) Shri N. Biswas, FA & CAO (F&B)
N.F. Railway, Maligaon, Guwahati—17.

Representing workmen.—(1) Shri Ashok Kumar
Ghosh, Workman.

Short Recital of the case

Shri Ashok Kumar Ghosh raised an Industrial dis-
pute over the matter of his alleged illegal termination
of service w.e.f. 27th February, 1989 without follow-
ing the provisions of section 25F of Industrial Dis-
pute Act and demanded re-instatement with back
wages. The matter was taken in conciliation on
5-3-92 and F.O.C. report was submitted to the Gov-
ernment vide this office letter No. 8(30)/91-8-A
dated 19/20-3-92. Today both parties have ap-
proached this office for a settlement of the pending
dispute. The terms of settlement are here is under—

TERMS OF SETTLEMENT

It is agreed that—

- (1) Shri Ashok Kumar Ghosh shall be re-instat-
ed w.e.f. 9th February, 1993 as substitute
Gr. II employee, the position which he held
before termination, under FA & CAO N. F.
Railway, Maligaon, Guwahati—781011.
- (2) The period from the date of termination of
service i.e. 27-2-1989 till the date of re-
instatement i.e. 9-2-93 will be treated as
“dies-non” for all service matters.
- (3) He shall be paid same salary w.e.f. 9-2-1993
as he was drawing on the date of termina-
tion of service i.e. 27-2-89.

The parties shall report implementation of the
above terms of settlement within a fortnight from
today failing which it would be deemed that the terms
of settlement have been implemented.

Sd/- N. Biswas
20-4-93

Sd/- Ashok Kumar Ghosh.

Witness :

(1) Sd/- N. K. Srivastav
C.P.O.

(2) Sd/- S. K. Roy,
AAO, ADM

Sd/- T. C. Garg,
Assistant Labour Commissioner(C)
Guwahati and
Conciliation Officer.

नई दिल्ली, 16 दिसम्बर 1993

क. घा. 103.—औद्योगिक विवाद अधिनियम, 1947
(1947 क 14) की धारा 17 के अनुमर्ण में, केन्द्रीय सरकार सिटि-
बैंक एन ए के प्रबन्धन के से संबद्ध नियोजकों और उनके कर्मचारों
के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक
अधिकरण नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय
सरकार को 16 दिसम्बर 1993 को प्राप्त हुआ था।

[संख्या एल-12011/74/88-डी I (बी)]

एल. एम. के. राव, डेस्क अधिकारी

New Delhi, the 16th December, 1993

S.O. 103.—In pursuance of Section 17 of the
Industrial Disputes Act, 1947 (14 of 1947), the
Central Government hereby publishes the award of
the Central Government Industrial Tribunal, New
Delhi as shown in the Annexure, in the industrial
dispute between the employers in relation to the
management of City Bank—N.A. and their workmen
which was received by the Central Government on the
16-12-1993.

[L-12011/74/88-D.I.(B)]

S. S. K. RAO, Desk Officer.

ANNEXURE

BEFORE SHRI GANPATI SHARMA : PRESIDING
OFFICER : CENTRAL GOVERNMENT INDUS-
TRIAL TRIBUNAL : NEW DELHI

I.D. No. 12/89

In the matter of dispute between :

Shri Naresh Seth,
C/o The Genl. Secy.,
Delhi (State) Bank Workers Organisation,
898, Nai Sarak, Chandni Chowk, Delhi.

Versus

The Area Director,
City Bank N.A.,
Jeevan Bharti Building,
Connaught Circus, New Delhi.

APPEARANCES :

Workman in person

Shri Dinesh Agnani alongwith Sh. Dalip Mehra
for the Management.

AWARD

The Central Government in the Ministry of Labour
vide its Order No. L-12011/74/88.D.I.B. dated
9-1-89 has referred the following industrial dispute
to this Tribunal for adjudication :

“Whether action of the management of City
Bank N.A. New Delhi in terminating ser-
vice of Shri Naresh Seth, Clerk-cum-typist
w.e.f. 3-8-88 was justified? If not to what
relief the workman is entitled to?

2. Parties in this case have settled the dispute and
has made application for passing a no dispute award
in this case. Statement of the parties were recorded

and in view of this statement no dispute award is passed in this case. Parties shall remain bound by the terms of the settlement. Parties are left to bear their own costs..

30th November, 1993.

GANPATI SHARMA, Presiding Officer.

नई दिल्ली, 20 दिसम्बर, 1993

का. प्रा. 104.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 2 के खंड (इ) के उपखंड (vi) के उपबंधों के अन्वयण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. प्रा. 1520 दिनांक 23 जून, 1993 द्वारा किसी भी खनिज तेल, कच्चा तेल, मोटर और रिक्सा तेल, स्प्रिट, डीजल तेल, निट्रॉली का तेल, ईंधन, एंजिन तेल और इसी प्रकार के तेल शामिल हैं, के निर्माण या उत्पादन में ऐसे उद्योग में सेनाओं का उक्त अधिनियम के प्रयोजनों के लिए 29 जून, 1993 से छ मास की कालावधि के लिए लोक उपयोगी सेवा छोड़ित किया था।

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की ओर कालावधि के लिए बढ़ाया जाना अपेक्षित है।

अतः अब औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 2 के खंड (इ) के उपखंड (vi) के परन्तुक द्वारा प्रस्तुत शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग की उक्त अधिनियम के प्रयोजनों के लिए 26 दिसम्बर 1993 से छह मास की कालावधि के लिए लोक उपयोगी सेवा छोड़ित करती है।

[संख्या एस-11017/2/84 डी-1 (ए)]

एस. एस. प्रशास्त्र, अवर सचिव

New Delhi, the 20th December, 1993

S. O. 104.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour S.O. No. 1520 dated the 23 June, 1993 the industry engaged in the manufacture or production of mineral oil (crude oil, diverse hydrocarbon oils and their blends including synthetic fuels, lubricating oils and the like, to be a public utility service for the purpose of the said Act, for a period of six months, from the 29th June, 1993;

And, whereas, the Central Government is of opinion that public interest requires the extension of the said period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a further period of six months from the 29th December, 1993.

[No. S-11017/2/84-D.I(A)]

S. S. PRASHER, Under Secy.

नई दिल्ली, 21 दिसम्बर, 1993

का. प्रा. 105.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उपधारा (3) द्वारा प्रस्तुत शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा 1-1-1994 को उस तारीख के रूप में नियत करती है, जिसकी उक्त अधिनियम के अध्याय-4 धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है और अध्याय-5 और 6 (धारा-76 की उपधारा (1) और धारा -77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध कर्नाटक राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे अर्थात् :—

“ज़िला बंगलूर के तालुक बंगलूर उत्तर की होबली येश्वन्तपुर के अन्तर्गत राज्य ग्राम नगरपालिका सीमाएं गंगुयाना शक्ती गब पंचायत, कमलानगर, श्री गंधारा कालम संकडाकर्ते हन्मन्तनगर, कोट्टी-छपालया, थीमापान्तपालया, बेनाचुकालुपालया, हेरना पाथया विष्वान्तिदम, हेगनाहल्ली, होरोहल्ली, हीरोहल्ली ग्रुप पंचायत नदारा हवली, अंजारा तगर ग्राम हवली मुदापालया, मन्नेपालया, कोषिय हल्ली तथा होबली दागनापुर के अन्तर्गत राज्य ग्राम मन्नेहल्ली।

[गं. एत-38013/31/93 एस एस -I]

जे. पी. शुक्ला, अवर सचिव

New Delhi, the 21st December, 1993

S. O. 105.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1994 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Karnataka namely :—

“The areas comprising the Revenue Village/Municipal limits of Saneguruvana Halli-Village Panchayat, Kamalanagar, Sreegan-dhada Kavalu, Sunkadakatte, Hanuman-thanagar, Kottigepalya, Thimmappanapalya, Benachukalupalya, Heranapalya, Vishwa-needam, Hegganahalli, Herchalli, Herchalli Group Panchayat, Byadara Halli, Anjara Nagra, Andhra Halli, Moodulpalya, Sajje-palya, Kodige Halli in Hobli Yeshwanthpur and Machohalli in Hobli Dasanapura of Taluk Bangalore North in District Banga-lore.”

[No. S-38013/31/93-S.S.—I]

J. P. SHUKLA, Under Secy.